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REPORT

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OF

THE COMMISSION

APPOINTED UNDER

ACT OF CONGRESS APPROVED MARCH 3, 1873,

TO NEGOTIATE WITH THE

CROW INDIANS IN MONTANA TERRITORY.

U.S. Comm. to negotiate with the Crow Ind.



WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1873.

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BOARD OF INDIAN COMMISSIONERS,
Washington, November 20, 1873.

SIR: I have the honor to transmit herewith the report of the special
commission to negotiate with the Crow tribe of Indians in Montana,
and accompanying documents.

Very respectfully, your obedient servant,

THOMAS K. CREE,
Secretary.

To the HONORABLE SECRETARY OF THE INTERIOR.

REPORT
OF THE
COMMISSION TO NEGOTIATE WITH THE CROW
TRIBE OF INDIANS.

SIR: We have the honor to report that under our appointment as special commissioners to negotiate with the Crow tribe of Indians, contained in your letter of May 1, 1873, viz:

Letter of the Honorable Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., May 14, 1873.

SIR: I have received your letter of the 21st ultimo, recommending the appointment of a special commission to visit the Crow tribe of Indians with a view of negotiating an agreement with the chiefs and head-men of said tribe of Indians in the Territory of Montana for the surrender of their reservation in said Territory, or of such part thereof as may be consistent with the welfare of said Indians, as provided by the act of March 3, 1873.

In compliance with said recommendation, I hereby appoint Hon. F. R. Brunot, of the Board of Indian Commissioners, *Col. E. C. Kemble, of New York, and H. E. Alvord, of Virginia, to constitute said commission, for the purpose named by you.

Messrs. Kemble and Alvord will be allowed compensation at the rate of \$8 per day, in addition to their actual and necessary expenses, while engaged in the performance of this duty. Mr. Brunot will be allowed only his actual expenses.

You will be pleased to prepare instructions for the guidance of said commission, a draft of which you will submit to this Department for its approval.

Very respectfully, your obedient servant,

C. DELANO,
Secretary.

The COMMISSIONER OF INDIAN AFFAIRS.

and the instructions of the honorable Commissioner of Indian Affairs contained in the following letter:

Letter of the Hon. Commissioner of Indian Affairs.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., May 31, 1873.

SIR: By the terms of an act of Congress approved March 3, 1873, it is provided: "That the Secretary of the Interior be, and he is hereby, authorized to negotiate with the chiefs and head-men of the Crow tribe

* Subsequently changed to General E. Whittlesey, of Washington, and James Wright, M. D., of Montana.

of Indians in the Territory of Montana for the surrender of their reservation in said Territory, or of such part thereof as may be consistent with the welfare of said Indians: *Provided*, That any such negotiation shall leave the remainder of said reservation in compact form and in good locality for farming purposes, having within it a sufficiency of good land for farming, and a sufficiency for water and timber; and if there is upon such reservation a locality where fishing could be valuable to the Indians, to include the same, if practicable; And the Secretary shall report his action in pursuance of this act to Congress, at the next session thereof, for its confirmation or rejection."

Pursuant to the provisions of the foregoing act, and in compliance with the directions contained in letter of the honorable Secretary of the Interior, under date of the 14th instant, you are informed that a special commission has been appointed, consisting of yourself, as chairman, in conjunction with *Col. E. C. Kemble, of New York, and H. E. Alvord, of Virginia, to visit the Crow tribe of Indians and negotiate an agreement with them to the end that the objects of said act may be effected.

You will proceed to the Crow agency, and, after consultation with the United States agent for the tribe, will assemble the Indians in open council, at some point on the reservation deemed most desirable for the purpose, and explain to them the purport and objects of the act of March 3, 1873, and of your visit.

The Crow reserve was established pursuant to the treaty with them concluded May 7, 1868, and is bounded as follows: "Commencing where the 107th degree of longitude west of Greenwich crosses the south boundary of Montana Territory; thence north along said 107th meridian to the mid-channel of the Yellowstone River; thence up said mid-channel of the Yellowstone to the point where it crosses the said southern boundary of Montana, being the 45th degree of north latitude; and thence east along said parallel of latitude to the place of beginning."

Such an extent of territory being greatly in excess of the quantity required for the necessities of the Indians, and the northern boundary thereof, throughout its entire length, being in close proximity to the proposed line of the Northern Pacific Railroad, it is desirable that the Indians should relinquish to the Government at least a portion thereof, and consent to confine themselves within more circumscribed limits.

It is with this end primarily in view that you should conduct your negotiations under the foregoing appointment.

You will explain to the Indians that it is the desire of the Government that they should adopt agricultural and pastoral pursuits to the end that they may in time become self-sustaining and prosperous, and that in order to encourage them in the cultivation of such pursuits all possible aid will be afforded them in the way of stock and agricultural implements.

Should you find them willing to relinquish upon reasonable terms any portion of their reservation to the United States, you will cause written articles of agreement to that effect to be prepared and duly signed by the chiefs and head-men of the tribe, and by each member of the commission. Such agreement must clearly describe the portion of the reservation ceded and the consideration to be paid therefor, expressed in such form as to admit of the largest discretion being exercised by the Department in relation to the manner of investing or expending such consideration for the welfare of the Indians.

*Changed to General E. Whittlesey, of Washington, and James Wright, M. D., of Montana.

Portions of the reservation are very mountainous, and undoubtedly rich in minerals of different kinds. Many mining claims are now being worked by white settlers on the reserve, and, as reported by the agent, some of them were located before the country was set apart as a reserve for the Crows, and the miners in consequence claim priority of right. In view of these facts the agent has also heretofore recommended that the Crows should be induced to cede that portion of their reservation lying between the waters of the Big Horn and Yellowstone Rivers, as the only way in which satisfactory adjustment can be made of the difficulties that will otherwise inevitably arise between the miners and the Indians. You will, however, in negotiating with the Indians, be governed by your own judgment as to the portion most desirable for them to cede, taking due care that the portion retained by them shall be of a character best adapted to their necessities, with the end in view of their eventually becoming an agricultural and pastoral people.

Care should also be exercised in negotiating any agreement that the portion of the reservation retained by the Indians for their use and occupancy shall be in compact form and in good locality for agricultural purposes, due regard being paid to the quantity of tillable land within its limits, as well as the sufficiency of the supply of water and timber. Also, if practicable, to include such fisheries as may be of value to the Indians as a means of furnishing them with supplies of food.

It must also be clearly understood that any agreement made with the Indians will be of validity only upon its ratification by Congress, and this fact should be impressed at every opportunity thoroughly and forcibly upon the minds of the Indians, in order that no misunderstanding relative thereto may exist on their part.

Another matter to which you will give your attention is the contemplated change in the location of the Crow agency. The present location thereof is understood to be highly unfavorable and unsatisfactory to the Indians, being remote from timber, and having an insufficient quantity of good agricultural land in its vicinity, as well as being greatly exposed to high winds.

You will consult with Superintendent Wright and Agent Pease in relation to this matter, and will obtain all the information in your power as to the most suitable point for locating such agency, and report your views concerning the same to this office.

The duties enjoined upon you in the foregoing instructions will be entered upon immediately after the completion of the duties assigned you as chairman of the special commission to visit and negotiate with the Northern Sioux, parties to the treaty of 1868.

You will be allowed your actual necessary expenses while engaged in the performance of the duties assigned you, vouchers for which, when practicable, should be obtained and submitted to this office with your account.

You will submit a detailed report of your proceedings at the earliest day practicable, accompanied by such form of written agreement as may have been entered into with the Indians.

Very respectfully, your obedient servant,

EDWARD P. SMITH,
Commissioner.

HON. FELIX R. BRUNOT,
Chairman Special Commission, Pittsburgh, Penn.

the chairman of the commission, accompanied by Thomas K. Cree as secretary, arrived at Bozeman July 7, 1873. Arrangements were at once made to gather all the Crow Indians at the agency for a council.

On the 29th of July General E. Whittlesey and Dr. James Wright, members of the commission, arrived at Bozeman. The next day a conference of the commission was held. The chairman read to the commission the letter of the honorable Secretary of the Interior, of date May 14; the letter of the honorable Commissioner of Indian Affairs, of date May 31; report of Agent Pease, of date April 30; and the treaty made with the Crows at Fort Laramie, May 7, 1868.

July 31 we drove to the Crow agency, found that the main body of Indians had not yet arrived, but some thirty chiefs and head-men, representing the Mountain and River Crows, had been sent forward to meet the commission.

The next morning we had a conference with them, Blackfoot, the second chief of the Mountain Crows, being the spokesman. He informed us that the main body of the Indians were encamped some distance from the agency, and could not arrive before the 8th or 10th of August. He accounted for their delay in getting to the agency, after the arrival of the messenger in their camp, by the fact that they had been fighting a large war party of the Sioux, who were following them, necessitating great care in the moving of the women, children, and camp equipage; to the prevalence of sickness, from which many had died, and to the high stage of water, which delayed them considerably, as there was great danger in crossing the swollen streams. He told the commission that the party would return to the camp the following day, and would come back with it to the agency as expeditiously as possible. A full report of this conference will be found in the accompanying documents.

The main body of the River Crows left Benton in good season to reach the agency, but, as we were informed, when some four days on their journey were stopped by parties interested in keeping them in the vicinity of the trading posts on the Missouri River.

The main camp arrived at the agency August 8. The erysipelas was prevailing among them in a contagious form; many had died from it, and Iron Bull and Blackfoot, the two principal chiefs, were both sick. Long Horse, the third chief and most prominent warrior, was in mourning for the death of his brother, who had been killed a few days before in the encounter with the Sioux.

The issue of provisions prevented the holding of a council the next day, the Indians giving as a reason for not wishing to come into council the sickness of Iron Bull and Blackfoot.

The council convened on the 11th of August. There were present, in addition to the members of the commission, General Swietzer, commandant of Fort Ellis, Dr. Lightfoot, U. S. A., Captain Tyler and Lieutenant Rowe, of company F, Second Cavalry. Major Pease, agent for the Crows; Nelson Story, esq., of Bozeman; Charles Hoffman, trader; several of the employés of the agency; and, of the Indians, Iron Bull, Blackfoot, and all the principal chiefs, and a large number of Indians representing both branches of the Crow tribe.

In opening the council the chairman expressed the regret he had felt at not meeting the Crows on a former visit, and the pleasure it gave himself and the other members of the commission to meet them at the present time. We then read and explained to the Indians the treaty made by them at Fort Laramie in 1868, the act of Congress of March 3, 1873,

under which the commission was appointed, and the letter of instructions of the honorable Commissioner of Indian Affairs.

We dwelt upon the fact of the miners in large numbers being on the reservation; of the recent discovery of gold and silver mines; and of the danger of trouble unless the Indians were willing to sell a portion of their reservation, which was of little use to them, and accepting in payment a satisfactory sum of money that should be expended for their benefit.

We referred to the probability of the North Pacific Railroad coming along the Yellowstone, and that it might come upon their reservation; and we explained the necessity for a new location for the agency buildings, and offered to go with the agent and the Indians and select a new location for it. The council lasted four days. A full report of it will be found in the accompanying documents.

On the fifth day of the council, finding the Indians were not likely soon to come to an agreement, for the purpose of inducing an immediate decision, we formally closed the council.

Early the next morning all the chiefs and head-men came and expressed a desire to sign the agreement. After ascertaining that they fully understood the articles of convention, the chairman said "you have come to tell us that you agree to the exchange of your present reservation on the Yellowstone for Judith's Basin, and wish to agree to the paper."

Iron Bull, Blackfoot, and all the chiefs said "yes, we all agree to it."

The Indians having expressed an unwillingness to touch the pen in making their mark, thinking it was "bad luck" to do so, the chairman said "we wish you all to come, one at a time, and say "yes, or no," to the paper." We wish you to bring in all the others, and they will say yes, or no, and then none who say "yes" can afterward say "we did not agree to it."

The chiefs thought if they agreed to it, it was sufficient, as all the tribe would abide by their decision.

But we insisted that all should approve or disapprove of it.

They then came forward, and as each said "yes," his name was signed to the articles of convention.

All agreed to it, except one head-man named "Crazy," who refused to express an opinion either way.

Each, as he said yes, asked that they might be permitted to eat buffalo for a long time, to which the commissioners responded "yes," as the Indians shook hands with them, respectively. Others asked for guns and horses; many asked that Agent Pease might be retained. To all of their requests the commissioners answered that there was nothing in the paper about these things, and that they only said yes, to what was in the agreement, but told them when the young men went to Washington, they could talk to "the Great Father" about giving them what they wished.

The necessity for the ratification by Congress of the articles of convention it was difficult to have them understand, but it was explained to them as fully as possible during the council. We made no promises to the Indians other than those contained in the articles of convention, and no conference in regard to it was held by us with the chiefs, or other Indians, except in public council.

The sessions of the council were all well attended, all the chiefs and head-men, and many Indian men and women, being present at every session; and we have every reason to think the action of the council meets with the almost unanimous approval of the Indian party to it.

The River Crows will, we doubt not, approve of the action of those representing them, as they have always lived in the section of country now set apart as their reservation.

In accordance with the desire expressed by all the Indians in council and elsewhere, we authorized Agent Pease to take to Washington eight Indians, chiefs and others, representing both the Mountain and River Crows, to be accompanied by one interpreter. We were the more willing to take this action, for the reason that no member of the Crow tribe has ever been east, and their idea of "the white man's" power and civilization is very meagre. Their steady friendship for the whites, whom they have always had every reason to suppose inferior to them in number and power, we thought also merited some return. The trip to the east will, we doubt not, prove of lasting benefit to the tribe.

The request made during and after the council, for a present of horses, we did not feel at liberty to accede to, yet we have no hesitation, in recommending that such a present be made. At the time of making their former treaties, they have always been given horses, a present they prize above all others. In view of the advantages that will accrue to the Government from the arrangement entered into, and the fact that, while attending upon the sessions of the council, a large number of their horses were stolen, as well as in return for the friendship they have always exhibited for the whites, we would respectfully recommend that they be presented with one horse for each lodge or family. It is presumed that funds appropriated for beneficial purposes for the Crow tribe of Indians are available for this purpose.

We would call special attention to the last clause of the articles of convention, in which it is agreed upon the part of the commissioners that, "pending action by Congress, the United States shall prevent all further encroachment upon the present reservation of the Crow tribe," and respectfully recommend that instructions be sent the agent to prevent all whites from passing over, settling upon, or residing in said territory, except such as are specially exempted by the treaty of 1868, and such others as are now engaged in mining in Emigrant Gulch; that he be directed to prevent all exploring parties or individuals from entering upon the reservation, and that any one engaged in hunting or trapping for game be arrested and turned over to the civil authorities.

We also respectfully recommend that pending the action of Congress, the section of country described in the first article of the articles of convention be, by order of the President, withdrawn from market and that it be declared not to be open for, or subject to, entry under the homestead or pre-emption laws. There are at present no settlers in any portion of this country, and this recommendation is made to prevent any such entering upon it, pending action by Congress. In case Congress should ratify the action of this commission, we would further respectfully recommend that agents of tribes, other than the Crows, be directed, as far as possible, to prevent them from hunting in Judith's Basin.

That Congress be requested to define the penalty for wounding or killing game by means of poison in the section of country contiguous to the proposed reservation, as described in article fourth of the articles of convention.

That an appropriation be asked for the erection of agency buildings, in accordance with the provisions of the treaty of 1868, and that a commission be appointed by the honorable Secretary of the Interior to locate the agency at a suitable place in the Judith Basin, as far

south as is practicable, keeping in view the necessity for wood, water, grass, and a sufficient body of tillable land susceptible of easy irrigation, and not so elevated as to render crops uncertain.

Very respectfully submitted,

FELIX R. BRUNOT,
E. WHITTLESEY,
JAMES WRIGHT,
Commissioners.

THOMAS K. CREE, *Secretary.*

Supplementary report by the chairman of the commission.

SIR: In addition to the report of the Crow commission, prepared by the secretary under the direction of my colleagues when en route from the agency and already in your hands, I have the honor to submit a brief explanation of the reasons influencing the commission in their negotiations.

The official instructions seemed to contemplate mainly the purchase of the western portion of the reserve, but your letter to the chairman was understood to leave a wider discretion with the commission.

We found that the principal region already occupied by the miners was along Emigrant Gulch, extending thirty or forty miles eastwardly into the mountains from the western border of the reserve, and upon Clarke's Fork of the Yellowstone River and that the prospectors were gradually extending their operations and could not long be prevented from over-running the entire mountain region bounded by Clarke's Fork and the Yellowstone River. The Indians claimed the country around the heads of Clarke's Fork and the east branches of the Yellowstone in Wyoming Territory, and, although not upon the reserve, it was impossible to convince them that it had not been originally included. We also found that the topographical features of the country were such as to admit of no dividing line, west of Pryor's Creek, which would be satisfactory either to the commission or the Indians; or which would not, if adopted, become, very soon, the cause of serious misunderstanding and contention between the whites and Indians.

The portion of the reserve which lies east of Clarke's Fork, and includes Pryor's Creek, is within the limits of the country claimed by the Sioux as their hunting grounds. It is constantly frequented by them in large bands for the purpose of fighting the Crows, and is the battleground upon which the two tribes often meet.

The Sioux largely outnumber the Crows, and have even extended their raids against them to the present agency. To remove this friendly tribe to so close a proximity to their powerful enemies would be wrong, and would involve the necessity of a military fort and a considerable force for their protection, which would be costly and inexpedient.

The commission further considered that the Northern Pacific Railroad would be located for three hundred miles along the present reservation, and one or more roads already projected from the southward would pass through it, and that the valley of the Yellowstone, and the valleys of the many fine streams emptying into the south side of that river, affording some of the choicest lands in the West for cultivation and stock, would, when thus rendered accessible to the whites, be irrepressibly demanded for their use, and make the removal of the Crow Indians a necessity.

To anticipate this necessity while there yet remained unoccupied a more retired district of country suitable to their needs, and which could be given to them, seemed of incalculable importance, to the future welfare of the Indians. Postponement of the selection of a proper location for a few years would probably leave no place for them but the cold and arid region north of the Missouri River. On the other side, it was considered that the peaceable release of the fine body of land included in the Crow reserve, already partially occupied, and the possession of which must soon seem a necessity, and the avoidance of future possible controversy and bloodshed between the whites and its proper owners, was of the greatest importance to the Government.

The Judith Basin, lying out of the present and prospective line of migration, surrounded by a belt of mountains and barren lands destitute of valuable ores to attract their cupidity, and relatively inaccessible to the whites, yet possessing within itself the necessary requisites for farming—land, grass, wood, and water—and not too large for the future needs of the Indians, seemed peculiarly adapted for the purpose of a reservation.

The sum of money agreed to be invested for the Indians is a very moderate price for the quantity of land they relinquish. Probably a larger sum than the interest of the capital funded would in any event be required to be expended annually for their maintenance until they become self-supporting. Hence the ratification of the contract would involve no additional expenditure on the part of the Government.

I desire in behalf of myself and colleagues to express our obligations to Col. N. B. Sweitzer, commanding Fort Ellis, for facilities furnished and efficient co-operation; and to himself and to all the officers of the fort, for many personal courtesies and attentions; also to Agent F. D. Pease and the employés of the agency, for their zealous co-operation.

Respectfully submitted,

FELIX R. BRUNOT,
Chairman of Commission.

PITTSBURGH, *November 19, 1873.*

Hon. C. DELANO,
Secretary of the Interior.

Articles of convention made and concluded on the sixteenth day of August, in the year of our Lord one thousand eight hundred and seventy-three, at the Crow Agency, in the Territory of Montana, by and between Felix R. Brunot, E. Whittlesey, and James Wright, commissioners in behalf of the United States, and the chiefs, head-men, and men representing the tribe of Crow Indians, and constituting a majority of the adult male Indians belonging to said tribe.

Whereas a treaty was made and concluded at Fort Laramie, Dakota Territory, on the seventh day of May, in the year of our Lord one thousand eight hundred and sixty-eight, by and between commissioners on the part of the United States and the chiefs and head-men of and representing the Crow Indians, they being duly authorized to act in the premises;

And whereas by an act of Congress, approved March 3, 1873, it is provided, "That the Secretary of the Interior be, and he is hereby, authorized to negotiate with the chiefs and head-men of the Crow tribe of

Indians in the Territory of Montana for the surrender of their reservation in said Territory, or of such part thereof as may be consistent with the welfare of said Indians: provided, that any such negotiation shall leave the remainder of said reservation in compact form, and in good locality for farming purposes, having within it a sufficiency of good land for farming, and a sufficiency for water and timber; and if there is upon said reservation a locality where fishing could be valuable to the Indians, to include the same if practicable; and the Secretary shall report his action, in pursuance of this act, to Congress at the next session thereof, for its confirmation or rejection."

And whereas in pursuance of said act of Congress commissioners were appointed by the Secretary of the Interior to conduct the negotiation therein contemplated:

The said commissioners on the part of the United States, and the chiefs, head-men, and men, constituting a majority of the adult males of the Crow tribe of Indians, in behalf of their tribe, do solemnly make and enter into the following agreement, subject to the confirmation or rejection of the Congress of the United States, at the next session thereof:

ARTICLE I.

The United States agrees that the following district of country, to wit, commencing at a point on the Missouri River opposite to the mouth of Shankin Creek; thence up said creek to its head, and thence along the summit of the divide between the waters of Arrow and Judith Rivers and the waters entering the Missouri River, to a point opposite to the divide between the head-waters of the Judith River and the waters of the Muscle-Shell River; thence along said divide to the Snowy Mountains, and along the summit of said Snowy Mountains, in a northeasterly direction, to a point nearest to the divide between the waters which run easterly to the Muscle-Shell River and the waters running to the Judith River; thence northwardly along said divide to the divide between the head-waters of Arnell's Creek and the head-waters of Dog River, and along said divide to the Missouri River; thence up the middle of said river to the place of beginning, (the said boundaries being intended to include all the country drained by the Judith River, Arrow River, and Dog River,) shall be, and the same is, set apart for the absolute and undisturbed use and occupation of the Indians herein named, and for such other friendly tribes or individual Indians as, from time to time, they may be willing, with the consent of the United States, to admit among them. And the United States now solemnly agrees that no person except those herein designated and authorized so to do, and except such officers, agents, and employés of the Government as may be authorized to enter upon Indian reservations in discharge of duties enjoined by law, shall ever be permitted to pass over, settle upon, or reside in the territory described in this article for the use of said Indians; and the United States agrees to erect the agency and other buildings, and execute all the stipulations of the treaty of Fort Laramie, (the said stipulations being hereby re-affirmed,) within the limits herein described, in lieu of upon the south side of the Yellowstone River.

ARTICLE II.

The United States agrees to set apart the sum of one million of dollars, and to hold the same in trust for the sole use and benefit of the Crow

tribe of Indians, the principal to be held in perpetuity, and the interest thereof to be expended, or re-invested at the discretion of the President of the United States, annually, for the benefit of said tribe.

ARTICLE III.

It is mutually agreed between the United States and the Crow Indians that the second article of the treaty made at Fort Laramie, between the commissioners of the United States and the Crow tribe of Indians be, and the same is, abrogated by this agreement; and the said Indians hereby cede to the United States all their right, title, and claim to the tract of country described in the said second article, to wit: "Commencing where the 107th degree of longitude west of Greenwich crosses the south boundary of Montana Territory; thence north along said 107th meridian to the mid-channel of the Yellowstone River; thence up said mid-channel of the Yellowstone to the point where it crosses the said southern boundary of Montana, being the 45th degree of north latitude; and thence east along said parallel of latitude to the place of beginning," and which is conveyed to them therein, except the right to hunt upon said lands so long as they may remain unoccupied, and as game may be found thereon and peace continues between the whites and Indians.

ARTICLE IV.

The United States agrees to suppress, so far as possible, by the imposition of pains and penalties, the practice of wolfing, or killing game by means of poison, within the limits of the following district of country, viz: Beginning at the mouth of the Muscle-Shell River; thence up the said river to the North Fork, and up the North Fork to its source; thence northward along the summit of the Little Belt and Highwood Mountains to the head of Deep Creek; thence down said creek to the Missouri River, and along the margin of said river to the place of beginning.

It is expressly understood between the commissioners and the Indians, parties thereto, that this agreement is subject to the ratification or rejection of the Congress of the United States at its next session, and that, pending the action of Congress, the United States shall prevent all further encroachments upon the present reservation of the Crow tribe.

FELIX R. BRUNOT,
E. WHITTLESEY,
JAMES S. WRIGHT,

Commissioners in behalf of the United States.

Attest:

THOMAS K. CREE,
Secretary.

his
PIERRE + SHANE,
mark.

his
MITCH + BOYER,
mark.

Interpreters.

Iron Bull, Che-ve-te-pu-ma-ta.
Black Foot, Kam-ne-but-se.



Fold-out Placeholder

This fold-out is being digitized, and will be inserted at a future date.



Fold-out Placeholder

This fold-out is being digitized, and will be inserted a
future date.

Long Horse, E-che-te-hats-ke.
 Show-his-face, In-tee-us.
 Bear Wolf, Isa-auchbe-te-se.
 Thin Belly, Ella-causs-se.
 Good Heart, Uss-pit-ta-watse.
 Old Onion, Mit-hu-a.
 Red Sides, Si-ta-pa-ruse.
 Crazy Head, A-su-ma-ratz.
 Bull Chief, Ise-la-mats-etts.
 Shot-in-the-jaw, Esa-woor.
 Lone Tree, Money-a-mut-eats.
 In-the-Morning, A-a-Seitz.
 Boy-that-grabs, Secateots.
 White Forehead, E-seha-chire.
 Small Waist, E-hene-pea-carts.
 Flat Side, Oos-tsoo-ch-seots.
 Old Dog, Bis-ca-carriers.
 The-Nest, Ish-shis-she-ess.
 Crazy-Sister-in-law, Ou-at-ma-ra-sach.
 The-Spider-that-Creeps, Ah-spe-di-ess.
 Crazy Pon Dé Orai, Minne-hu-ma-ra-chae.
 Bull-goes-a-hunting, Ce-da-nu-ta-cass.
 Crane-in-the-Sky, A-pil-Mouse.
 Coon-Elk, Chin-ka-she-araeche.
 The Old Crow, Perits-har-sts.
 White Otter, Ma-pu-ku-he-te-te-suish.
 Long-Snake, Bi-ka-che-hats-ki.
 White Mouth, Te-de-sil-se.
 Pock Mark, Te-spu-ke-he-te.
 The White Bull, Te-shu-net.
 The No Hand, Te-si-closst-so ish.
 The little Atelope, Uk-ha-nak-ish.
 Curley, Ash-ish-ish-e.
 The Ridge, E. Nak-he-sash.
 Big Horse, Te-je-si-cle-is-ash.
 Calf in the mouth, Nak-pak-a-e.
 Old Mountain Tail, A-mak-ha-viss-ish.
 Bear in the water, Me-mum-ak-hiss-is-e-ish.
 One Feather, Mash-u-a-mo-te.
 The Mix, Ma-ish-ish.
 Bell Rock, Mit-a-wosh.
 New Lodge, As-hi-hash.
 The Rings, She-da-nat-sik.
 Well Bull, Te-si-do-po mo.
 The Shaven, Bish-i-ish.
 The one who hunts his debt, Ash-e-te-si-Oish.
 One who hears good, Ma-in-ke-ku-te-sit sine.
 The Burnt, Osh-Nish.
 Bear Robe, Ach-je-it-se-is.
 The River, A-ash-ish.
 Big Forehead, Ak-hi-es-ash.
 The one who knows the bull, Te-se-do-pe-e-a-te-sa:
 Big Kettle, Bi-re-ke-hi-tash.
 Chief Wolf, No-it-a-ma-te-sets.
 The Leg, Te-tu-se-pe.
 The man who sits in the middle of the ground, A-ive-ku-a-ta-mish.

Blinkey, Bish-te-ha-mo-te-te.
 One who sees all over the land, A-we-ko-to-e-ka.
 Bull all the time, Te-si-doss-ko-te-so-te.
 Plenty of Bear, A-che-pl-se-a-lush.
 Rides behind a man on horseback, Ma-me-ri-ke-ish.
 Bird off the ground, Ma-pe-she-ri.
 Charge through the camp, Ash-e-ri-i-a-was-sash.
 The old Bear, Ak-hi-pit-se-u-ke-hi-ke-ish.
 Crazy Wolf, Te-se-te-man-ache.
 The Plume, Te-se-do-pie-shu-she-ish.
 Old Alligator, Bo-ru-ke-he-sa-cha-ri-ish.
 Bob-tail Bear, Ak-hi-pil-se-u-ke-hi-ke-ish.
 Pole Cat Look behind, Te-spit-te-sash.
 Wolf Bow, Te-sets-sha-tak-he.
 The Sioux that runs fast, Ak-man-ash-u-pe-yen-hu-she.
 Little Soldier. The one who hunts his enemy.
 Bull Rock. Pretty Lodge. Herd the Horses.
 Three Wolf. Stray Horse.

We, the undersigned, were present at and witnessed the assent of the Crow chiefs, head men, and men of the Crow tribe of Indians, whose names are attached thereto.

THOMAS K. CREE.

Secretary Special Crow Commission.

C. W. HOFFMAN,

R. W. CROSS,

I. M. CASTNER,

F. GIESDORF,

E. D. PEASE,

Agent for Crow Indians.

The undersigned were present at the council with the Crow Indians, and witnessed the proceedings. The agreement was carefully explained and was fully understood and assented to by the Indians.

GEO. L. TYLER,

Captain 2nd U. S. Cavalry.

CHARLES F. ROE,

Lieut. 2nd U. S. Cavalry.

We, the undersigned members of the Crow tribe of Indians, were not at the agency at the time of the council, but after having the articles of convention fully explained to us, do hereby give our assent to the same :

The Deaf.
 Crooked Face.
 Little Face.
 Split Ear.
 Small Boy.
 White Bull.
 The Sergeant.
 The Blind.
 Chief Bull.
 The Bravo.
 Eats a horse.

Medicine Chicken.
 Long Horn.
 Crow Head.
 Arm in his neck.
 Small Bear.
 White Otter.
 School Teacher.
 White Calf.
 Bull on top of the mountain.
 Big Pond.
 The Magpie.

Pretty Bird.
 The Gooseberry.
 Musk Rat.
 Shoots well.
 Young one in the month.
 Sitting Weasel.
 Pretty Robe.
 Four Chiefs.
 Sharp blade sword.
 The Deer.
 Cloudy Forehead.
 The Knife.
 Black Face.
 Long Fingers.
 Blind Horse.
 Flying Eagle.
 Calf Woman.
 Pretty Bull.
 Black Dog.
 The Winking Eye.
 Young Horse.
 Sewed Side.
 Pretty Prisoner.
 Kill the Chief.
 Plenty Elkhorses.
 Boy Chief, Taboo.
 The Buffalo.
 Bad Snow.
 Old Cloud.
 Yellow Fender.
 The Swan.
 Pretty Side.
 Yellow Bull.
 Sharp Nose.
 Crooked Nose.
 The Coat.
 Bear From Below.
 The Hair.
 The Weasel.
 Two Tails.
 Pounded Meat.
 Sister to Crazy.
 The Dumb.
 The Pipe.
 Yellow Horse.
 Tiger Woman.
 Iron Neck.
 Medicine Rock.
 The Shell.
 Splendid Leg.
 White Head.
 Old Saddle.
 The River Bull Woman.
 Shell-in-the-Year.
 Good Beard.
 Little Whetstone.

Otter that knows.
 Bird Woman.
 Old Blackbird.
 White Dog.
 Pretty Gun.
 Plenty head gear.
 Two Lances.
 Small Bull.
 The Black Bird.
 Fat Elk.
 Green Meadow.
 Old Kettle.
 Burnt Arm.
 Buffalo Calf.
 Brown Beaver.
 Small Pony.
 Tall Pine.
 Diving Otter.
 Friendly Beaver.
 Jack Sheppard.
 The Throat.
 Flat Back.
 Black Foot's Son.
 The Red.
 The Twin.
 Yellow Top.
 Raw-Hide.
 Plenty Head.
 Little Wolf.
 Rotten Tail.
 Red Fox.
 The Onion.
 Half Yellow Face.
 Dog Eye.
 Afraid-of-his Eyes.
 Little Son.
 Yellow Tobacco.
 Iron Necklace.
 Small Wolf.
 Gray Head.
 Yellow Head.
 Pretty Eagle.
 No Heart.
 Red Beard.
 Blue Moccasin.
 Young Wolf.
 No Hand.
 The Otter.
 Show his Face.
 Dirty Head.
 Takes the Shield.
 Two Hours.
 The Blind Bull.
 White Swan.
 Hides-his-Face.

We, the undersigned members of the Crow tribe of Indians, who were at the agency during the sitting of the council, but were not present when the articles of convention were assented to, hereby give our assent to them.

Bad Hand, Blue Leggings.	Bear Head.
Ugly Face.	Black Head.
Back Bone.	Snake-his-Tail.
The Panther.	Poor Elk.
Sitting Bull.	Big-Ball.
Little Iron.	Old Tiger.
Fish Catcher.	The Island.
Horse Guard.	Old Man.
Scabbed Bull.	Picket Pin.
The Chicken.	Old Tobacco.
Strong-by-Him-self.	Hole-in-the-Forehead.
The Tail.	Crazy Head.
Long Neck.	Iron Feather.
Spotted Tail.	Red Fox.
Yellow Top.	Bird in the Neck.
Crane in the Sky.	The Buffalo.
Big Nose.	Medicine Rock.
Yellow Leggings.	Crooked Eye.
Mountain Pocket.	Pretty Bear.
Old Cloud.	Old Liar.
Old Kettle.	Kills Quick.
Red Face.	Smart Boy, Great Hunter.

Witness :

his
PIERRE + SHANE,
mark.
Interpreter.

I certify on honor that the above names were appended as stated.
F. D. PEASE.

Narrative of the Proceedings of the Special Commission.

Hon. Felix R. Brunot, chairman of the special commission to negotiate with the Crow tribe of Indians under act of Congress of March 3, 1873 accompanied by Thomas K. Cree as secretary, arrived at Bozeman July 7

Arranged with Agent Pease to have the Mountain and River Crows brought to the agency as soon as possible.

July 28. General E. Whittlesey, of Washington, and Dr. James Wright, late Superintendent of Indian Affairs for Montana, members of the commission, arrived at Bozeman.

Aug. 30. A conference of the commission was held at Fort Ellis. The chairman read the letter of the honorable Secretary of the Interior dated May 14, authorizing the commission, and the letter of the honorable Commissioner of Indian Affairs, of May 29, giving instructions for the guidance of the commission in its negotiation with the Crows. Also the treaty at Fort Laramie, made with the Crows May 7, 1868.

The commission had a free conference in regard to the objects sought to be attained.

Having learned that the parties sent out for the Mountain Crow Indians, after thirty-three days' absence had found them, and had re

ported that they were en route for the agency, and that a portion of the River Crows had already arrived, the commission decided to leave for the agency the next day.

July 30. Left for the Crow Agency. Arrived at 9.30 p. m. Blackfoot and a few of the principal men who had come in from the camp were waiting to see the commission.

Aug. 1. This morning some twenty of the prominent chiefs, under Blackfoot, called to pay a formal visit to the commissioners. They came in singing a song of welcome "to the commissioners from the Great Father," and, after shaking hands and embracing the great white chiefs, the following conversation occurred:

MR. BRUNOT. We are very glad to see you. We have been waiting for some time at Bozeman. We want to see all the Crows. The Great Father sent us and told us to talk with all of you. We want to know where your camp is, and when all will be in.

BLACKFOOT. They are camped on the Yellowstone at the mouth of Alder Creek, about forty miles away.

MR. BRUNOT. How many days is that away?

BLACKFOOT. We can't tell how many nights; six or seven, perhaps.

MR. BRUNOT. That is a long time for us to wait.

BLACKFOOT. Our horses are poor, it is warm weather and the horses have given out; all the streams are high and hard to cross; they sent us men ahead to meet you. Last summer you came and sent to see the tribe, but before we got here you had gone. This time I came ahead because I wanted to see you.

MR. BRUNOT. If they come as soon as they can we will wait. Can the camp be here in five nights?

BLACKFOOT. I do not think they can get here so soon. Do not be in a hurry; we want to see you. The streams are high, and our horses poor, but we will come as soon as possible.

MR. BRUNOT. I waited a long time for you last summer, and the Great Father was sorry you did not come. It is a long journey from Washington; it would take six months on a horse to go there, and now that we are here we want to see you, and if the camp comes as fast as it can we will wait.

BLACKFOOT. To-morrow I will go to the camp, and bring them as soon as I can. We do not know how long it will take, but we will bring them as soon as we can; we did tell them that you were in a hurry.

MR. BRUNOT. That is well.

BLACKFOOT. You have sent for us; we had not gotten skins enough, and were not through our hunt, but we came at once.

MR. BRUNOT. How many lodges have you?

BLACKFOOT. We do not know how many; there are about 400 lodges, but some are River Crows, Bannocks, and Nez Percés.

MR. BRUNOT. Where did you meet the Sioux?

BLACKFOOT. Across Prior's Creek, about twenty miles, at the foot of Prior's Mountain, we met the Cheyennes and Sioux. They were coming this way; they were a big party. The most of them did not come to fight, but a small party met and fought us, and we killed one of the Sioux. From there we went after them. We had plenty of ammunition and were friends of the white men, and we followed them down the Big Horn. There is a large party at Fort Smith; when they found we were coming they went back. The Big Horn was too high for us to cross, or we would have followed them and driven them from the country. On Warm Spring Creek, across the Big Horn, we fought and whipped them, but could not get over the river after

them. The Crow soldiers wanted to cross, but the camp could not go without danger of drowning some of our people and ponies, but we sent scouts, and they brought back horses taken from the Sioux camp. The Sioux camp was between the Big Horn and Little Horn; we sent six of our men; they brought twelve Sioux horses. When they came back we sent two more. They found a Sioux out hunting; they killed and scalped him and got his horse; when they came back they found us camped at Pompey's Pillar.

Three Nez Percés went out from there and took five horses and mules from the Sioux. We sent two more men; the Sioux camp was at the mouth of the Little Horn; it was a big camp; five rows of tepees. They got some horses, and shot into the Sioux tents. From Pompey's Pillar we came to Prior Creek, and there Boyer (the messenger) found us. He came through near the Sioux camp, and just afterward we had the fight with the Sioux—just at the mouth of Prior Creek. The party was so large they came right up to our camp and attacked us. The big valley on Prior's Creek was full of Sioux Indians. Boyer will tell you the same. The white men who were with us took their guns and went out with us to fight the Sioux.

Another party went from Prior Creek after the Sioux. When we came to the Stinking Water three of them had been killed.

We knew you great white men who were coming from the "Great Father" to see us would hear whether we whipped the Sioux or not. We began to fight when the sun got up; we fought them till noon, when the Sioux began to run; we followed them to Fly Creek, nearly sixty miles.

The Sioux must have good white-men friends on the Platte and Missouri. They get guns and ammunition; they are better armed than we are; they have Winchester, Henry, and Spencer rifles and needle-guns. We took some of these guns from those we killed; we took two Henry rifles and one needle-gun; they threw away their blankets and saddles, and we got a number of them; they threw away their ammunition. Their outfit was better than ours. We got Needle, Spencer, and Winchester cartridges, and powder and balls from them. The Great Father does not know that the Sioux get these arms and ammunition and then they kill white men with them. The Crows do not kill white men; the arms and ammunition we get is to hunt with, and defend ourselves and our white friends with.

When the fight was over we intended to go to Heart Mountain, where buffalo were plenty, and get skins for our lodges, but we did not go then.

We came here to shake hands with you; and we want you to think well of the Crows. We mean to do right, and we will listen to what you say to us. We want you to know how the Sioux trouble us. There are many Sioux, but we are not afraid of them. They want to come on our land; but we intend to keep them off. I love you and hold on to your hand, but the Sioux we want to fight. We will stay here to-day, and to-morrow we will go to the camp. Too many of us cannot leave the camp at one time for fear of the Sioux.

Even at the agency we watch for the Sioux. We brought a good many guns with us, and the camp is short that many. The Sioux want to get our country, but we will not let them have it.

Mr. BRUNOT. The Great Father does not give the Sioux any guns. I do not know where they get them. We know the Crows are our friends; that is the reason we come here; and we want you always to continue our friends; what we say is for your good. I have to go to see the Utes after I leave here. The Ute chief met me on the way. He heard what the Great Father wanted them to do, and they are going to do it;

and so with nearly all the Indians, they are going to do as the President wishes them.

After awhile, if the Sioux do not do as the President wants, he will make them do it. Since the President's war is over he has plenty of soldiers, and he intends to make everybody—red men, white men, and black men—do what is right. He is going to make them all do it, whether they want it or not; but he does not think the Crows want any soldiers, for they are his friends and will do what is right.

Is Long Horse with the camp? I saw him last year.

BLACKFOOT. Yes; his brother was killed in the fight.

Mr. BRUNOT. We came in a wagon, and could not carry any presents with us, but we want you to have dinner with us. How many chiefs are here?

BLACKFOOT. Twenty-two Mountain-Crow men, and nine River Crows.

Mr. BRUNOT. We want the Mountain Crows to-day, and the River Crows to-morrow.

BLACKFOOT. The River Crows belong to me, and I want you to treat us all alike.

Mr. BRUNOT. This is our dinner, and we want you all to come to-day.

BLACKFOOT. Are there any cattle above the cañon on the river?

Mr. BRUNOT. Yes; I saw them there. Those cattle are on the wrong side of the river.

MAJOR PEASE. They ought all be taken off, and the miners too. I ordered the herders to move the cattle further up, or else across on the other side of the river.

Mr. BRUNOT. Major Pease has ordered them to take the cattle away. The country up there is not good for much; there are many mountains.

BLACKFOOT. The country is good, and we like it. It is our country, and we know it is good.

Mr. BRUNOT. I know it is your country. Where is the best country you know of for Indians to live on?

BLACKFOOT, (after much discussion.) Why did you ask that question?

Mr. BRUNOT. I want the Crows to have the best country, and I want to know where it is. I do not want any of your country for myself.

BLACKFOOT. I am going to tell you, but we are not ready yet. We have land we like very much, and we will tell you about it when our people come in.

Mr. BRUNOT. Some places the white men are in already; other places they are going in; and we want to find a good place that we can keep always for the Crows.

BLACKFOOT. Do not be too fast; wait till all are here. When the rest come in we will tell you our mind.

Mr. BRUNOT. You will come for dinner, and then you will go and bring the camp.

AUG. 8. The Indians arrived to-day. They had been detained by fights with the Sioux, and by sickness in the camp, quite a number having died while en route for the agency; Iron Bull and Blackfoot, the two principal chiefs being sick; and Long Horse, an important chief, being in mourning for his brother, who was killed by the Sioux.

Arrangements were made for a council to-morrow.

AUG. 9. Provisions were issued to-day, taking from 10 o'clock till 5, after which the Indians declined to come into council on account of the chiefs being sick and the hour too late.

Respectfully submitted.

THOMAS K. CREE, *Secretary*.

To the SPECIAL CROW COMMISSION.

REPORT OF THE COUNCIL.

CROW AGENCY, MONTANA TERRITORY,
August 11, 1873.

A council was held with the Crow Indians this morning. There were present Hon. Felix R. Brunot, chairman of the Board of Indian Commissioners; General E. Whittlesey, of Washington, and James Wright, late Superintendent of Indian affairs for Montana, as a special commission under act of Congress of March 3, 1873, to negotiate with the Crow Indians, with Thomas K. Cree as secretary. There were present, by invitation of the commission, General Sweitzer, commandant at Fort Ellis; Captain Tyler, and Lieutenant Rowe, of Company F, 2nd cavalry; Dr. Lightfoot, surgeon U. S. A.; Major Pease, agent for the Crows; Nelson Story, esq., of Bozeman, Charles Hoffman, esq., and Mr. Cross, traders; several of the employés of the agency, and the following Indian chiefs and sub-chiefs:

Of the Mountain Crows—Iron Bull, Black-Foot, Thin Belly, Bear Wolf, Show-his-face, Good Heart, Shot-in-the-jaw, Crazy, Bear-in-the-water, Bull-goes-hunting, Crane-in-the-sky, Crazy-sister-in-law, Crazy-head, Long Horse, Old Crow, White Calf, Red Side, Onion, White Mouth, Bird-in-the-neck, Spotted Tail, Poor Elk, Little Iron, Chief Bull, Old Dog, Bell-rock, Along-the-ridge.

River Crows—Little Soldier, Wolf's Bow, Hunts his-enemy, Boiling Leggin, White Rock, Black Bull, Cranberry, Bear-head, Poor Assina-boine, and many others.

In opening the council Mr. Brunot said:

Before we talk about business I want General Whittlesey to ask the Great Spirit to look into our hearts and make them all good.

General Whittlesey led in prayer, asking that God would guide the commissioner and the Indians in the deliberations of the council, and lead each right.

Mr. Brunot said: I am glad to meet all my friends here now. I was sorry I could not see you when I came here last summer. I came then to hear what you had to say about yourselves, and to talk to you of what I thought was good for you. I have now come again, and am very glad to see you. My heart is good to you, and I hope you are all well to-day, [many had been sick.] The Great Father sent some words to you when I started to come, and he sent these two gentlemen with me to see you. He told us there was a new general at Fort Ellis, and he also has come to see you. Another man, Mr. Cree, comes with us to write down all that is said by the white men and the Indians. I want you to speak wise words, because they will go to the Great Father. These gentlemen are all glad to see you, and they wish me tell you so. The Great Father has heard many things from this country; some tell him one thing, some another. I see with my own eyes many things I will tell him when I go back. I know he thinks the Crows are all his friends, and he wishes to do what is good for you; and when he told us to come and tell the Crows what he thinks is best for you, it is because he cares for you. I want you to know that every word I say to you comes from my heart. I would not say a bad thing for my own child, nor would I for you, and all I say you will see is true. The Great Father knows that the Crow Indians made a treaty at Fort Laramie. I was not there, nor the Great Father, but he sent commissioners there, and some of your chiefs were there; but the treaty is printed, and he gave us this printed paper. It says, "This is the treaty made at Fort Laramie." I hold it in my hand; it has some chiefs' names signed to it. The names are:

Pretty Bull, Wolf Bow, Mountain Tail, Black Foot, White Horse, Poor Elk, Shot-in-the-jaw, White Forehead, Pounded Meat, Bird-in-the-neck, and The Swan. These are the names of the chiefs that signed the paper. That treaty says where the Crow land is to be. I think it is a good country. It is along this river about seventy-five miles above the agency, and then goes toward where the sun rises until it crosses the Big Horn, and goes half way between it and the mouth of the Rose-bud River, about twelve miles this side of Poreupine Creek. This is what the treaty and the map say. That is the country that belongs to you forever, or until you wish to sell it. Now, the country across the river, where you go to hunt buffalo, the treaty says you can go to while the buffalo are there; but when the game is gone away from there that is all to be white man's land. The Great Father has heard that the country southwest of here is not of much use to the Crows, and that the whites are going into it. I have seen some of it along the river, and I think it is very good; but some of it is very rocky and mountainous. It is good only for people who wish to hunt gold. I have seen white people going past the reservation to Clark's Fork; I am sorry to see them going there. I do not want to see white people go upon Indian land so long as it belongs to the Indians and they want to keep it. The Great Father at Washington does not want whites to go upon land that belongs to the Indians. He has heard that the whites have gone there, and he thought, to prevent any more trouble, that the best thing for the Indians to do was to sell that land. So last winter, when the Great Father's council came together and heard about these white people being on the Indian's land, they passed a law to send out men to ask you whether you would sell these lands. This law says—

That the Secretary of the Interior be, and he is hereby, authorized to negotiate with the chiefs and head-men of the Crow tribe of Indians in the Territory of Montana, for the surrender of their reservation in said Territory, or of such part thereof as may be consistent with the welfare of said Indians: *Provided*, That any such negotiation shall leave the remainder of said reservation in compact form and in good locality for farming purposes, having within it a sufficiency of good land for farming and a sufficiency for water and timber; and if there is upon such reservation a locality where fishing could be valuable to the Indians, to include the same if practicable; and the Secretary shall report his action in pursuance of this act of Congress at the next session thereof, for its confirmation or rejection.

He says the men must not buy anything from the Indians if it is not good for you to sell it. The Indians must keep plenty of land for themselves and their children to live on. The land they keep must be good for them to farm and must have a good place for an agency, and it must be good for them. That is one thing the Great Father told us to say to the Crows, and it is for you to think about. This treaty, after awhile, comes to an end. You always have the land, but in thirty years the annuity goods stop. It says all who stay upon the reservation must be fed for four years. I am sorry it is not longer, but that is what the treaty says. Suppose the white men continue to come into the mines; they get too numerous, and after awhile there may be trouble between them and the Indians. I hope the trouble will never come. I want, as long as I live, if I choose to come here, to have the Crows take me by the hand and know I am their friend. When many men think one way and many think another way, it is best to talk it over and see if all will not come to think alike. I think this is best. The Crows do not care about digging in the mines. It would not be good for you to do so. If you can sell to the Great Father the piece of land that has the mines upon it, he will put away the money and for it send useful things to you every year. That is what I want you to think about. The Great Father is

making an iron road that is coming along the river. It will make it very easy to bring things to the Crows and the people who live in this country. Sometimes the Great Father sends the goods to the Indians; they start them in the spring, but they do not get here until the next spring. They ought to come before you go upon your fall hunt, that you may have everything with you. When the railroad is done the goods will come quick. Perhaps he will make the railroad on the other side of the river, perhaps on this side; I do not know which. This side is Crow land. You can say whether you want it on your land or not. You can think about that. If you sell a part of your land you must have a better place than this for an agency. We want to help you pick out the place. You will think about that, too. I have said enough; now I want hear you talk.

Several Indians here came forward and presented buffalo-robcs, and two presented pledges, each representing a horse, to the members of the commission.

The commissioners demurred at accepting the presents, but were assured that the Indians would be offended if they were refused.

The commissioners then accepted them, but afterward gave them away to needy Indians.

MR. BRUNOT. I have been to see many tribes of Indians. I go to see them because I want to do them good. Some places the men, to show that they are my friends, bring me something which they wish to give me. I always tell them I do not come to get anything from them; that I have plenty myself, and I do not want to take anything that is of use to them, and now the Crows have come and to show that your hearts are good to us you have given us these robes. I have let you do so because it is your way, and I do not want to do anything but what is kind and right.

BLACKFOOT. When we see our friends we give presents to each other. My Father comes and sees me; he gives me something and I take it. We give you something and you ought to take it.

MR. BRUNOT. A long time ago when men wanted to get anything from the Indians they brought a great many presents. It was because they wanted to get something away from them. If I come to the Crows and bring you a lot of presents you will think I want to get something away from you. (To the whites: We prefer that what is said should go to the Indians through the interpreter, and we do not want others who talk their language to talk with them about what is said.)

OLD CROW. I give you a present. We want you to take the sickness away from us.

BLACKFOOT. You call the Great Spirit Jesus in your language; we call him in the Crow language E-so-we-wat-se. I am going to light the pipe and talk to the Great Spirit. (He lighted the pipe, and, looking up reverently, said :) "The Great Spirit has made the red man and the white man, and sees all before Him to-day. Have pity upon us! May the white man and the Indian speak truth to each other to-day. The sun that looks down upon us to-day, and gives us light and heat, sees that our hearts are true, and that what we do is good for the poor red man. The moon, that shines on us in the night-time, will see us prosper and do well. The earth, on which we walk, from which we come, and which we love as our mother—which we love as our country—we ask thee to see that we do that which is good for us and our children. This tobacco comes from the whites; we mix it with bark from the Indian trees and burn it together before Thee, oh Great Spirit! So may our hearts and the hearts of the white men go out together to Thee and be made good and right."

As he invoked the Great Spirit, the earth, &c., the pipe was reverently held in the direction of each, and, after this, was presented to the commissioners and then to the chiefs to smoke, after which ceremony Blackfoot said:

BLACKFOOT. I am going to have a long talk with you. My Great Father sent our friends to see us. We see each other; that is good. You came here last summer; we were sent for to see you. We were back of the mountains when we heard of you, but high waters and the mountains prevented our coming. You said you did not see us, and you were sorry for it. We could not come any faster. This summer we were on this side, near the Yellowstone, where we were getting skins to make lodges. In the fall the traders will want our robes. We will then go over the Yellowstone to Judith's Basin to hunt. Since I was a boy I recollect that is what the Crows always did. When the Crows meet a friend they always give him something; so we do with you. You say you have a Book that tells about the Great Spirit. We always give the Great Spirit something. I think that is good. We see the sun, we give him something; and the moon and the earth, we give them something. We beg them to take pity on us. The sun and moon look at us, and the ground gives us food. You come and see us, and that is why we give you something. We are men like each other; our religion is different from yours.

The old folks are dying off; then who will own the land?

I went to Fort Laramie; the old Indians signed the treaty. We came back to the camp and told the young men, and they said we had done wrong and they did not want to have anything to do with it. They said, "We love the Great Father, and hold on to the hands of our white friend. All the other Indian tribes fight the whites; we do not do so. We love the whites, and we want them to leave us a big country."

All the other Indians go and talk with the Great Father; you take them to Washington; they are bad; they hide their hearts; but they talk good to the Great Father, and you do more for them than for us. This I want to tell you: yesterday you spoke to us and we listened to you. If you wish to have peace with all the Indians get them all together and make peace with them. Then I will make peace with them, too.

The Great Spirit made these mountains and rivers for us, and all this land. We were told so, and when we go down the river hunting for food we come back here again. We cross over to the other river, and we think it is good. Many years ago the buffalo got sick and died, and Mr. Maldron gave us annuity goods, and since then they have given us something every year. The guns you give us we do not point at the whites. We do not shoot our white friends. We are true when we look in your face. On our hands is no white man's blood. When you give us arms to go and fight the Sioux we fight them to keep our lands from them. When we raise our camp and go for buffalo some white men go with us; they see what we are doing; they see that we jump over the places that are bloody. On the other side of the river below, there are plenty of buffalo; on the mountains are plenty of elk and black-tail deer, and white-tail deer are plenty at the foot of the mountain. All the streams are full of beaver. In the Yellowstone River the whites catch trout; there are plenty of them. The white men give us food; we know nothing about it. Do not be in a hurry; when we are poor, we will tell you of it. At Laramie we went to see the commissioners. Now commissioners come to see us, and we listen to what you say. The commissioners told us at Laramie if we remained good friends

of the whites we would be taken care of for forty years. Since we made that treaty it is only five years. You are in a hurry to quit giving us food. I am a young man yet; my teeth are all good. They told us at Laramie we would get food till we were old, and our children after us. This is not the place for the agency, on this point of rocks. We would like to know who built the agency here. They told us they would give us our food. They promised to send a good agent and good traders, and if they were not good they would be taken away. Pease never treated us wrong; the young men and the children he always treated right; all that was sent for us he gave us; he was not a thief; he treated us well, and we do not want him to go away from us. On Sheep Mountain white men come; they are my friends; they marry Crow women, they have children with them; the men talk Crow. When we come from hunting we get off at their doors, and they give us something to eat. We like it. We raised Shane, [the interpreter;] he was a boy when he came here. You ask us what we have to say, and that is what we tell you. Here is the doctor; when our people are sick he doctors them. He has two children by a Crow woman; we like him. Here are our traders; when we go hunting they give us ammunition; they gave me a revolver to kill buffalo. We do not know anything about Cross, [a new trader;] we do not know his face. We want the soldiers at Ellis to take the part of the Crows. When they come here to see the giving of annuity goods we give them robes to take with them, and when they hear bad talk about the Crows we want them to speak well of us. When we camp here some of the whites run off with our horses into the mountains. We know about it, but we do not say anything. We have a strong heart, as firm as a rock, and we say nothing about it, but you want to hear what we have to say and I tell you. In Gallatin valley the Cheyennes, Arapahoes and Sioux made a raid and the people blamed the Crows with it. We want them to quit speaking bad about us. On the Missouri River the whites have married into all the different Indian tribes; their brothers-in-law, the white men, come here and steal our horses. We follow them and find who have them. Some of the Crows went to the Missouri River and got some Crow horses. The white people sent word they were their horses, and we sent them all back. We claim our horses, but they are not brought back.

When we set up our lodge poles, one reaches to the Yellowstone; the other is on White river; another one goes to Wind River; the other lodges on the Bridger mountains. This is our land and so we told the Commissioners at Fort Laramie, but all kinds of white people come over it, and we tell you of it, though we say nothing to them. On this side of the Yellowstone there is a lake; about it are buffalo. It is a rich country; the whites are on it; they are stealing our quartz; it is ours, but we say nothing to them. The whites steal a great deal of our money. We do not want them to go into our country. We would like needle guns, to get game and fight the Sioux; this we tell you.

Mr. BRUNOT. Blackfoot says he wants the soldiers to speak well of the Crows. I will tell him what took place last summer. When I came here white men in the Gallatin valley told me the Crows had killed two white men and took their horses. I did not believe it, but I wanted to find out. I went to the soldiers and asked them about it. They said it was not the Crows. So the soldiers did speak for the Crows, and as long as the Crows do well the soldiers are their friends. Afterwards I found out who killed the men and took the horses; it was Arapahoes and Cheyennes. I wrote a letter to tell the governor who it was. I think he will put it in the newspapers and everybody will know that it was not the

Crows. Blackfoot says the white people are digging in the mountains, taking away your gold. I know that myself. I saw them go there. I told them it was not right. The Great Father has heard about it, and he has said the Crows had better let the people have the gold and he will pay you for the land. The Crows have done well. You have not hurt the white people who are on the reservation and in the mines, and you tell us you are the white man's friends. The Great Father does not want any of these whites to hurt the Crows. He says for us to tell the Crows that if you let the white people have the land he will give you things you need, for many years. I have been looking about over your reservation. I see you do not go much where the mines are. I think it would be good for you to let the white people have the land, and the Great Father for many years will give you what you need for yourselves and your children. I do not want this on account of the people who are on your land, but I think it will be good for you and your children. It is your land, and you can do what you please with it. If you want to keep it, I have nothing to say, but I think it would be good for you to sell it.

Blackfoot said he went to Laramie, and, when he came back, the young men did not agree to what he said. I do not want that to occur again. Whatever the chiefs do, I want the young men to know all about it, and to agree to it, and then no one can say it was wrong. You must think about this and be sure you are right. It is your business; it concerns you and you must do what you think is best. If you decide to sell the land from Clark's Fork to the Yellowstone, we will talk about what the Great Father must give you for it. If you do not want to sell so much, you can fix some other line. That you will think about yourselves and will tell me what you think.

BLACKFOOT. I do not want whites to go to Heart Mountain.

Mr. BRUNOT. The upper part of Clark's Fork is not on the reservation.

BLACKFOOT. I do not care so much about the part on the Yellowstone and in the mountains, but above, in the valley, it is good. I am going to tell you I treat my friends good. When you speak to me, I say, yes! yes! Along the Muscle Shell and Teton Mountains is Judith Basin. Many men go into that country wolfing; they kill game. We thought when we saw them, that white men are giving us food; when we have to buy what we want, they will be ashamed when they see us. When we have a friend we take him to our tepes. We give him a robe to cover himself. When we meet a wolfer, if he is poor, we give him a pair of pants and moccasins, or a blanket. We shake hands with him and send him away all right. We would like them to quit wolfing; there are getting to be too many of them, and we want them to quit. (The commissioners examined the map.) What have you decided about on the map?

Mr. BRUNOT. We were looking at the map to see where was a good line if the Crows decided to sell the mountain part of their reservation. Some people think it would be best to sell from the mouth of Clark's Fork up to the Yellowstone; others think it would be best not to sell so much, but to take some other line this side of that, but it is for you to make up your mind how much you will sell, or whether you will sell any. It is your land; you can do as you please about it.

We have told you what the Great Father wants you to do. I have told you I think it would be good to let the miners have the mountains where they are and where they are going, and for the Great Father to pay you. I think it would be better for you and your children, but if you do not think as I do, it is all right.

BEAR-WOLF. These are old men, (the chiefs.) We are young men; we are just grown up; we do not want to sell any land.

IRON-BULL. You are my friends. (Here he was interrupted by the arrival of a mourning people.) Long-Neck, whose brother was killed in a recent fight with the Sioux, with his squaw, came in weeping; he placed his hands on the head of each commissioner and sung a mourning song, all the Indians looking solemn, and some weeping.

LONG-NECK. My brother is killed by the Sioux; I want to revenge myself. I come to ask you to give me good luck.

After the mourning party had gone Iron-Bull said: We are tired. I will say a few words and quit talking for to day. Look all around us! There is no white man's blood; we do not set our feet upon his blood. When you gave us flour, did we ask for it? Did we ever ask for sugar or beef? What made you give it to us? We never asked you to give us pants and stockings. You have not asked me to say what I am now going to ask you. I have asked why food is given us, and I was told we were getting food because we were friends of the whites. We like the food; do not quit giving it to us when four years are up. Here is our agency; we were looking for a white man to take charge of it. We know Pease's face. All the people, old men, young men, women, and children know Pease. If you put any body else here as agent we will not feel like living here any more. We do not want Story and Hoffman, our traders, to go away. There is a tall man in the store called Cross; he makes bad faces to us; he is a hard man; we do not know him. I am not a fool. I am the Iron Bull. I love all white men. The Sioux, Cheyennes, and Arrapahoes do not like the whites; if you do not know it, I tell you so. The whites have no horses on the Sweet-Water or in the Gallatin Valley; and over to the Missouri River all their horses are in the Sioux camp. All about they have killed white men and scalped them. If you like us, do not give the Sioux any ammunition or guns. Do what I ask you. Let people keep their cattle on the other side of the Yellowstone. The whites would like to move on our land; do not be in a hurry. Here is a good place to farm, and there is wood on the mountains. You saw that man who came here and cried. The Sioux killed his brother, just as they would you or me. Have pity on us and take the sickness away from the Crow camp. When we raise camp we will go for buffalo; we will make a medicine lodge near the lake. If we come back and nothing happens, we will be glad to see you. When we raise camp we want you to give us ammunition to defend our camp. A long time ago a peace commission sent for me to the Yellowstone. I went with Shane, (the interpreter;) they gave me blankets. I could blow through them, and they went to pieces; they gave us nothing that was good. I asked them to do something for us. They said, "Yes," but they have done nothing for us. There are plenty of buffalo yet. The soldiers went down the other side of the Yellowstone; we said nothing, because we loved them. When there is no game for us to eat, then we will come and tell you about it.

Mr. BRUNOT. One thing I want you all to understand. You say you want Mr. Pease for agent. You know his face and like him; so do I, and I think the Great Father likes him, too. The Great Father, when he has his men, he puts them where he wants them to go; he puts them where he pleases. General Baker was over at Fort Ellis; the Great Father took him away and sent another man there. When I came here I knew Major Pease was here; these gentlemen knew Pease was here, and that is all we know about it. If the Great Father wants to take him away you must think it is all right.

Major Pease is your friend and will always be so. If the Great Father sends anybody else, that is for him to do as he wishes. He did not tell me anything about it. But if the Great Father sends a new agent or trader, you must try them and see if they are good. If a man comes who does not do right, tell the Great Father, and he will send another man. We have nothing to do with it. You are all tired, and you want to talk among yourselves about what has been said, and I think we had better stop. We will meet to-morrow and have other things to say, and we want you to talk about it and tell us what you have to say.

LOW-HORN, (taking Pease and putting his arms about him.) We love him, and want to keep him. We all love him, and want him to remain with the Crows.

MR. BRUNOT. When I talk to the Crows I mean all—the River and Mountain Crows both. I think if a man has a family it is good for all of them to be together, and not divided up. I think the River Crows ought to stay with the others; you ought all to be one family. I thought all the River Crows would be here, but some have not come. I hope you will all be friends together. We are very sorry for your people who are sick, and for those who mourn. We cannot help it. The Great Spirit does everything; but we will ask the Great Spirit to take the sickness away, and I hope he will make you well. That is all we will say to-day. To-morrow morning, at nine o'clock, we will meet in council. What you have said has been put on paper, and will go to the Great Father. There are some things I do not speak of, because I do not know about them, but all I do say is true. I will take your words to the Great Father, and he will do as he pleases. I want you to talk among yourselves, and tell us to-morrow what you will do about your land. When I came away from Washington I did not bring any presents, because I thought if I came to the Crows bringing a lot of presents you would think I would take advantage of you. But now that we are here and see you, we think we would like to give you something. We have to do the best we can. We have a few blankets we wish to give you. We give them to you to show you that we are your friends, the same as you showed us when you brought the robes to us.

Fifty blankets were then distributed among the chiefs and head-men; after which the council adjourned.

Second Day.

AUGUST 12, 1873.

The council convened at two o'clock. Blackfoot made a long speech to his people, telling them of the number of whites that are coming into their country and going into Judith's Basin, eating the game, and their stock eating the grass on which the buffalo and antelope, the Indian food, feed.

The council opened with prayer by General Whittlesey.

MR. BRUNOT. I do not wish to say the same things I did yesterday. I think you heard them all, and have thought of them, and are ready to say something in regard to the business of which we talked. We have been thinking about it, and so have you. Now you have something to say about it, and we are ready to listen. The business about the land is yours more than it is anybody else's. If a man has a great thing to think about he does not mind little things; if he sees the sun, and can look at that, he does not want to look at a little camp-fire. Some other time he will look at the little things; so now we will talk of the great matter, and some other time we will talk of the little things.

BLACKFOOT. What men say one to the other is good. Look at me. I am a big man. I have a big heart, and what I say is true. The whites have been digging gold at Emigrant Gulch for ten years. Perhaps the white men think the Crows do not know it, but we do know all about it. Above Emigrant Gulch I hear the whites have found other diggings. I love the Great Father, and I love my white friends. I will talk to you. The whites have been stealing our property. We are men, and know of it, and we will some day ask for the pay for our gold that the white men took from us. We used to go up the Yellowstone, and cross to the lake, and go through to Heart Mountain on the Stinking Water. That was our country. This summer we intend to go to Heart Mountain to get skins for our lodges. One time on Big Rocky (Rosebud) our camp met a wagon and white men with it. Four chiefs went and shook hands with the white men. The white men pulled out their revolvers and shot one of the Crow chiefs and killed him, and shot another who got well. When we heard of this we cried; we thought much about it, and then tried to forget it, because the white man was our friend.

Mr. BRUNOT. When was that?

BLACKFOOT. When General Sully first came into the country to fight the Sioux, (1862.) We do not understand you about the country. We understood Heart Mountain and Stinking River were in the Crow reservation, but you say it is not. Above the cañons they have been digging gold; now the whites want to take Heart Mountain, and we do not understand it. From Emigrant Gulch on this side we do not want to sell; above it we will sell you. We go to Judith Basin in the winter and locate on the creeks. The buffalo and antelope are ours. The whites kill them and put poison on them to kill wolves; they kill our horses with their poison. We say it is all right, because we love the white man and hold on to his hands. We are now telling you what we think. Dr. Hunter went down the river to the Warm Spring and located himself down there. I want you to hear and believe what I say. When we go for buffalo we find trappers hunting all over our country and men going everywhere on it. They think we do not know of it, but we do. White men who have married our women are stopping here for the Crows. When we kill our enemy, one who is hostile to everybody, the whites ought to be glad. A long time ago young White Bear, an Indian brave, and a white man, his friend, went together to fight the Sioux. They fought side by side. The white man was killed. Did the red man run away? No; he fought by the side of his white friend; and avenged his death. They fought hand in hand; and so they died. The bones of the red man and white are now mingled together. That shows we are friends of the white man; and as the red man and white man died, hand in hand, so ought we to live.

Right close to the agency this year Dr. Frost, a white man, and two Crow women were killed by the Sioux. The white man and the red women died together. That is why we want to war against the Sioux. The white men did not avenge the death of the white man, but we avenged the death of both the white and the red people. We think, when we die together as friends, we ought to live together as friends. We say, yes, yes, to what you say, and we wish to do what is best for both whites and Indians.

What we were told at Laramie I have in my heart. They told us to look out a white man with a good heart for our agent. We have found him. Here he is in Pease. He does not drink whisky; he likes us. He does not offer us whisky, and we like him. Pease never made any Indians mad at him; the children all like him; he is kind to all of us.

What we ask you to do is to permit him to stay, and then we will listen to what you say. You come to hear what we have to say. I tell you, up above, on the river, the whites are digging gold. You can buy that country for the whites. We do not hide anything; we are men. From Emigrant Gulch to the Forks you can have; below it you cannot. I am a man, and that is what I say. We do not want a railroad alongside of the river. What do you think about it? We do not want Pease to go away. We never hurt a white man, and we can always look in the white man's face and shake hands with him. The Nez Percés Indians made peace with us, and they like us. The Bannack Indians shake hands with us, but they do badly. You should talk to them. When we went to Laramie the commissioners asked us to make peace with the Snakes. We did so, and love them; we know and like Wash-a-kie, and we made peace with him. If you count the Crows there are fourteen hundred men. We would like you to give us guns enough for them, and plenty of horses, and to give us food for all time, as long as there are Crows, and that is what we want for our piece of land.

CRAZY SISTER-IN-LAW, (a chief.) We do not want Pease to go away. My boy does not want him to go away. He gives you a horse (to the commission) to keep Pease here. (He gave the commissioner a stick as a pledge representing a horse.)

Mountain Chief's daughter and Crazy Sister-in-Law's little daughter presented robes, saying, "We want Pease to stay with the Crow tribe." All the children gathered about Major Pease to hold on to him.

The council here adjourned unceremoniously, after which—

WHITE MOUTH said, "Blackfoot did wrong in sending everybody away from the council. I do not feel right about it. I thought the council was going to be a good one. We cannot help it, but we do not like it."

Other Indians came forward and said they had nothing to do with breaking up the council. Plenty of others wished to talk, but Blackfoot did it all.

Council reassembled at five o'clock. Iron Bull, head chief, being sick, did not return.

MR. BRUNOT. Do any of you want to talk?

BLACKFOOT. You asked us to come back and now we want to hear what you have to say.

MR. BRUNOT. We are glad to see the Chiefs back, but we would like to see more of the young men, and hope more will come. I want to talk a little about what Blackfoot said, and about some other things. I want to talk as I always do, true and straight. I don't want my words to be like the winds, that go off and are never seen again. I want them to go into your ears and into your hearts, and if you do not hear them now, some day you may be sorry for it. I want you to remember all I say, and some day you will say that white man told us the truth. When a man sees the whirlwind coming, does he tell it to stop? No! He gets out of the way; he cannot stop it. A wise man looks ahead; he sees what is coming and he gets ready for it. I see what is coming over this country. I know what is good for the Indians, and I want you to know it, too. I have been on the Platte, and on Wind River, and on the Missouri, and away to the ocean, and what do I see? You do not see it, but I do. I see the white man's towns coming further and further; they are almost here. A few years ago, where these towns now are, there were buffalo. The buffalo used to be on the Platte as they are now on the Big Horn and Powder River. They are all gone now.

Why are they so plenty here still? They have been driven from there and have come up here. The Sioux cannot find any buffalo on the Platte, so they come up north to hunt them. If the Crows went to the Platte and the Republican, they would not find any buffalo there. They have come up here. And when they are killed off here, they will be all gone everywhere. Buffalo are the Indian's bread, but they are going away and soon will be all gone, and the friends of the Indians want them, by that time, to have something else. We want you to have lands that you can keep, so that you will have plenty to eat; we want you to teach your children so that they may live on white man's food. These Indians who have eaten white man's food, know it is good. When you went to Fort Laramie you made a treaty with the white men. I was not there, but here is the paper that tells me what the treaty was. It says, "The Crows shall have a piece of land always." It is for you and your children. That piece of land was marked on these maps. Some of you think it was larger than it is. I do not know who told you that. It was wrong; it was a mistake. If the Crows think the land is not large enough, I am sorry; but I see how hard it is to keep this piece of land for you. Some of it has the gold mountains on it. I see wherever gold mountains are, there white men go. They ought not to come here for it; it is not their land. The Great Father does not want them to come on the Crow land, but he is a long way off; he can not see with his own eyes into the gulches and mountains. He has heard about the gold mountains and the people in them. He has also heard that the Crows do not go into the mountains much, and he thinks if the whites go into the Crow mountains, the Government ought to pay you for the lands. If the land goes away from you, by men going here, there and everywhere, after a while it is all gone and you have nothing for it, but if you sell the land and let the people go into it, and the Great Father pays you for it, year after year, you will get things you need, and have them always. You will get them after the buffalo are all gone. The Great Father is making the railroad. It is like the whirlwind. I cannot stop it; nobody can. I might as well try to stop the Yellowstone with my hand. I can not do it. The Sioux thought they had stopped the Great Father's soldiers last summer. The Great Father told the soldiers when they went there, if they met the Sioux and they made trouble, to come back, till they could talk about it, and now there are more soldiers coming this way than all the Sioux warriors number, and they are going to put a war-horse on the border of the Sioux country, at the mouth of Powder River. You have not seen many of the Great Father's soldiers here; very few. But away to the east there are many thousands of them.

Now, about this land; I told you the Great Father wants to give you pay for it, and have you sell the mountains at this end of your reservation. It belongs to the Crows, and the Great Father does not want it to be taken away without your getting pay for it. Blackfoot talked about selling a little piece at the upper end. Suppose we were to say that will do; we will pay for that little piece; it would do no good. Here are mountains that people are going into now, and the same trouble would come again. Is not that so? I want to tell you another thing about the treaty, and I want you to know that it is not I who say this, but it is what the treaty says. I am going to tell you what the paper says. The Crows have for their land always, what is marked on this map, (showing the bounds of the reservation on the map.) Here is Crazy Mountain on the river; here is Judith Basin; here the Missouri. The treaty says this is the land of the Crows forever, (marking reserva-

tion.) Then it says as long as there are any buffalo, and as long as the white men are not here (in Judith Basin,) with farms, they may go there and hunt. So on Tongue River and Powder River; you can go there. Blackfoot says white people are going into Judith Basin. The treaty does not say that whites dare not go there, but the treaty says Indians and whites both can go there. I never was in Judith Basin, but I have heard of it, and I have heard that it is a better country than this; that it is good for grass, and that there is plenty of water, wood, and game. I know the railroad is not going there, but that it is coming along here. I think if the Crow Indians could have Judith Basin instead of this, so that they would own it, and could come and hunt here, it would be good. The way it is now, the Crows, the white men, and any other Indians can go there, but other Indians can not come here without the permission of the Crows; but if the Crows had that for a reservation, the whites dare not go there at all, and other Indians could not go there, without the Crows permitted them to do so. But the Crows could come here and hunt as long as there is game. That country there is not as large as this country here, but the country all around it you could go to all the same; but, because that country is not so large, if you go there you ought to have some pay for the difference. The treaty says the Crows were to be fed four years; somebody told the Crows it was forty years; that was a mistake; it was not true. This is the last year, but I do not want it to stop. I want that they shall have plenty to eat. The Great Father at Washington wants them to have plenty to eat, but every four years they have a new Great Father at Washington; perhaps some other man may be Great Father some day, and he may not want you to have these things. I hope you will always have them until you learn to make them like the white men; but I cannot tell; a new Great Father may be a different kind of a man. Now you can fix it so that it does not make any difference who the Great Father is, but you can always have plenty. You can do it this way: if you like Judith Basin, and want it for a reservation, we can go and say to the Great Father, it is smaller than this reservation, and for that reason you ought to have something always every year, in place of the big piece of country which you sell. We can ask him to give the Crows Judith Basin, and, because you give up this reservation, to give you food and things you need, so that you will never want. We can ask him to give you this, the interest of a million dollars, and every year you would get fifty thousand dollars in food and such things as you need; that is what we would ask the Great Father to do, and we think he would do it, but we do not know whether he would do it or not; he might think it too much, but if he thinks it is too much, and does not agree to it, it would all be the same as it is now. I have told you much that I think and what I tell you is what I think is the best thing that could be done for you. These gentlemen with me all think the same way. I do not think I am wrong, and I know that I will not be afraid to meet the Crows anywhere, here or in the spirit-land, for what I have done is for your good and all I tell you is true and comes from my heart.

BLACKFOOT. What you have said we have listened to and we think it is true. At Laramie the treaty was made. We did not feel right. We had made a long journey and were tired and sick. They gave us some horses. They thought they were doing a big thing, and making us a big present. But the horses were wild like the antelope. We caught them with the lasso. They jumped and kicked; we held on tight to them, but they got away from us: we were sick hunting them,

and when we got home nearly all of them were gone. The commissioners told me that we should have plenty of food given us for forty years. They were big men who talked with us; they were not drunk when they told us. We were men and heard them, and so it ought to be written in the treaty. I told the commissioners at Laramie that I had seen the Sioux commit a great massacre; they killed many white men. But the Sioux are still there and still kill white men. When you whip the Sioux come and tell us of it. You are afraid of the Sioux. Two years ago I went with the soldiers; they were very brave; they were going through the Sioux country to Powder River and Tongue River. We got to Prior Creek, just below here in the Crow country. I wanted to go ahead into the Sioux country, but the soldiers got scared and turned back. I was there and so were others who are here; they know what I say is true. The soldiers said they were going to Tongue river, but they got frightened at the Sioux and turned back. The soldiers were the whirlwind; they went toward the Sioux country, but the whirlwind turned back. Last summer the soldiers went to Prior Creek again; again they said they were going through the Sioux country, but they saw a few Sioux; they were afraid of them; they got scared and turned up to the Muscleshell, and went back again; again the whirlwind was going through the Sioux country, but again the whirlwind turned back. We are not the whirlwind, but we go to the Sioux; we go into their country; we meet them and fight, but we do not turn back; but we are not the whirlwind. You say the railroad is coming up the Yellowstone; that it is like the whirlwind and cannot be turned back. I do not think it will come. The Sioux are on the way and you are afraid of them; they will turn the whirlwind back. If you whip the Sioux, and get them out of its way, the railroad may come and I will say nothing.

We were born on this side of the Yellowstone and were raised here. It is good land. There is plenty of good land here. Timber and grass and water are plenty, and there is much game in the mountains. You talk about Judith Basin and say you are going to give us plenty to eat. We do not want to exchange our land. You are my friend. If we were to go to the white man's country and bloody it as they do to our country, you would not like it. For many years I have known the whites. You have a big heart, but it is not so with the white men who come into my country. Some of them never sucked their mother's breasts. I think they were raised like the buffalo, and sucked a buffalo cow for their mother. They have no hearts. I was not raised in that way; I am a man. I was raised and sucked milk from my mother's breast. There is no white man's blood on our hands, and I am not ashamed to shake hands with you. What I say is true. I am your friend. The Sun sees me and hears what I say. The Great Spirit hears me and knows it is true. Did I ask these white men to come here and crowd me? Buffalo robes are my money; we have some buffalo left yet. If I go to the buffalo country and bring no robes back, the traders will not look at me; they won't be glad to see me and shake hands with me, and say "How," "How," as they would if I had plenty. I think you had better leave Pease with us as he was before. If you put anybody else here, very soon they will kick me in the face with their foot. All the men who have Crow women, we don't want them sent away. They are my friends and I want them to live as I do.

Mr. BRUNOT. About Pease, I have nothing to say. I told you I liked him; and I like other good men who do right to the Indians. The

Great Father does as he pleases about these things, so I have nothing more to say about it. But as to what I said about Judith Basin. I know every man cannot think alike. Blackfoot in some things does not think just as I do. He says what he thinks; I say what I think; both are men. What difference if we do not think alike in everything? We can be friends. I am not afraid to say what I know is right; so Blackfoot says what he thinks is right and I like it. The Great Father sent me to talk to the Sioux; they asked for guns to fight the Crows. I said they could not have them. I was not afraid of Sioux soldiers; so now I would not be afraid of my friends, the Crows. If I am not afraid to speak to enemies, I am not afraid to speak my mind to my friends. I want you to know, and you *do* know, that what I say is true and that it is for your good, so you will think and talk about it, and, perhaps, after awhile you will think I was right. Suppose you think I made a mistake; you are still my friends; you are the white man's friend all the same. But you must talk about these things and see if they are not good. What have I been waiting for? Because I like you and want to do something for you. I have stayed a long time; we have had two days' talk; we talked of things that were in the past and of things that are now. But this matter of the land is the most important thing; if we get it fixed we can settle the little things afterwards. The agency buildings were burned up; they ought to be built somewhere else very soon, and they ought to be built in a good place where the stake will be down strong; where there is plenty of wood and water and good farming land, and where the Indians can stay in the winter without having their heads blown off by the wind. You want it where you can stay. Suppose the question of the land is settled; then we can locate the agency. If you decide to go to Judith Basin, we will put the agency on some of the streams there in a good place. Suppose you do not want to go there; then the agency must be put on some creek here. I am afraid if the stake is put down here, it will not be a strong stake in the ground, but if it were put at Judith Basin, I think it would be, but it is for you to know what is best. You need not talk till you think about it. I think I can stay till to-morrow night, and I will hear all you want to say by that time. I think you can decide about these things, so we can take your words to the Great Father; so we can put it in a paper; but I do not know, we will see.

WOLF'S BOW. We have been talking to each other a long time. You have said what you have to say. If you want my land that is over here (above), I tell you we will sell it to you. We asked you for fifteen hundred guns of all kinds for the mines; we want them right away in ten days. If you want to build a new agency, go to the foot of the cañon on this side of the land we give you. We will go for buffalo and when we come back, we will find the new buildings there. We told the Peace commissioners at Laramie, we would hold on to the white man's hands always. It was put on paper there; we have a copy, and I will show it to you. We said to one another then, we would never point our guns at each other as long as we were Crows. The Sioux fight the whites; they wanted to give us mules and horses to help them fight the whites, but we would not. We have fought the Sioux and have left many good men on the battle fields. When I go for buffalo, the Sioux fight me for my land. I will continue to fight them. If the soldiers go to fight my enemy, the Sioux, they do not go far; they turn back close to here. We went to fight them this summer; they were as well armed as we were. We want you to tell the Great Father the Sioux have more guns than they ought to have, and he ought not to give them any more.

Mr. BRUNOT. The great father does not give them any guns. I am afraid the Sioux get their arms from the same kind of people who give whisky to the River Crows. I got up to say that we have been here a long time. I have talked a great deal, and so have you, and we had better think about it a little. We have some tobacco we want to give you, and we want you all to come to-morrow morning.

After distributing some tobacco, the Council adjourned.

Third Day.

August 13, 1873.

Council convened at 1 o'clock.

Blackfoot made a long speech to his people, closing up with the request that the commissioners should explain the treaty to them. He said there was nothing in the treaty of what they had said to the commissioners at Fort Laramie, and nothing of what the commissioners had said to them. He said our country is not as large as the commissioners promised it should be, and we do not understand the treaty as you read it. We do not think you will tell us a lie. None of the Chiefs would accept this treaty. Show-his-face was the only one who was willing to take a copy of it. We want you to tell us what is in it. None of the Indians who were at Laramie know what is in this treaty.

The Council opened with prayer by Dr. Wright.

Mr. BRUNOT. You would like to know everything that is in the treaty. I will tell you. I do not know whether what is in it is good and pleases the Crows or not, nor does it make any difference whether it pleases me now, or whether I like it or not. All I know and all the Crows need to know, is that this is the treaty as it was signed at Laramie. Yesterday I told you some of the things I read in it. To-day I will tell you again, because Blackfoot asks me to do so. It reads, "This is a treaty made at Fort Laramie on the 7th of May, 1868, between the Peace Commission and the Chiefs and head men of the Crow Tribe of Indians." Article first says, "There shall always be peace between the Crows and the Government. If bad men, the whites or any other people do wrong to the Crows, they must tell the Agent, and the Great Father will have them punished. If bad men among the Crows kill or harm the white men or take their property, they are to bring them to the agent and have them punished."

BLACKFOOT. Who made this treaty?

Mr. BRUNOT. I will read their names: Generals Harney, Sherman, Augur, and others. This copy that Show-his-face has was made by Captain Burt at Fort Smith, and it is a copy of the one the peace-commission made. The one I have is just the same.

The second article says the United States agrees that this country shall be set apart for the occupation of the Crows and other friendly Indians, whom they wish to have and whom the United States consents shall occupy it. The country begins where the one hundred and seventh degree of longitude crosses the southern boundary of Montana; then up in a straight line to the Yellowstone; then following it till it crosses the southern boundary of Montana; and thence in a straight line east to the place of beginning. This country is for the Crows and the people who are sent to live with the Crows. Then it says after that time the Crows give up all right to any part of the United States except this part embraced in the reservation.

The third article says, because the Crows gave up the other country the United States agrees to build, on Otter Creek, a ware-house, a house for an agent, doctor, carpenter, miller, blacksmith, and engineer, and

when the children of the Crows are sent to school a man shall be sent to teach them; and a school-house shall be built; and when it is time to do so the United States is to build a saw-mill, grist-mill and shingle-mill.

Article fourth says the Crows agree, when a house for the agent and other buildings are built, that they will make the reservation their home always, and they shall not settle anywhere else; but as long as there is peace between the Crows and the whites they may hunt buffalo where there are any and where there are not too many whites.

Article fifth says, the agent shall live among the Crows, and listen to their complaints, and do as the treaty says. If the Crows or the whites do anything wrong, the agent is to send word to the Great Father about it; and what the Great Father decides is right, that the agent shall do.

Article sixth says if any of the Crows, or any one whom the Government and the Crows allow to live with them, wish to farm, the agent shall help them; and if any Indian selects a piece of land for a farm it shall be entered in a book, and it shall always be his, and he can get a paper from the agent to say that is his. The Great Father may, at any time, survey the land, and mark it out in patches, to show what each one owns. The United States may make laws to show what kind of title the Indian people shall have.

BLACKFOOT. It is all lies; we do not want to hear any more. Wrap it up and throw it all away. We will not have that treaty.

Mr. BRUNOT. You had better hear it all and know what you are to get. (At this point there was much excitement among the Indians, many of them declaring they would hear no more. After waiting a few minutes Mr. Brunot insisted upon silence, and said:) You asked me to read the treaty. I am going to tell you all that is in it. It goes on to say that all treaties made before this one are gone, but from the time of this treaty, the United States agree to send to the Crows the following articles: For each male Indian over fourteen years of age, a suit of good woolen clothes; for each woman over twelve years of age, a flannel skirt, or goods to make it; some calico, or twelve yards of cotton domestic; and for the boys and girls younger than fourteen and twelve years, flannel and cotton goods to make each one a suit; and it says, so that the Great Father can send these things, the agent shall each year send word how many Indians there are to get them. This is to be done for thirty years. That is your annuity goods. In addition to this, the Great Father is to send money to the agent to use for the benefit of the Indians at the agency—not to give the money to them, but to spend it for their benefit and make them comfortable and happy. If the Indians do not want the clothing, they are to tell the agent what they do want; and if the Great Father thinks it is good for them, he will send them what they want, instead of the clothing, but the agent must send to the Great Father word what they want, and the Great Father must give permission to do so, before any change can be made. For fear some one might not give all their goods to the Indians, some officer must come and see that they get them. The United States agree to send an agent, physician, engineer, blacksmith, carpenter, and farmer, and to pay them while they are here. It says the Crows must have food for four years.

I did not make this treaty. I see that, although the Crows may have made a mistake about the land, the treaty is good for them. The Great Father lives a long way off; he is trying to keep his part of the treaty; but I told you he could not see into the gulches and all these places, and he can not come from Washington with all the goods that are sent. One man cannot always tell what is being done a great way off, but he wants to do the best he can for you, and wants you to do the best you

can for him. You know the goods last year and year before were better than you got before. The reason is, men are trying to get what is right for you. I want you to understand it and know that there are bad white men, just as there are bad Indians. A bad white man steals your horse; it is not the Great Father, nor is he to blame for it. If a bad Crow takes a horse I do not blame it on Blackfoot; but if a white man takes a Crow horse the agent finds it out and tries to have the man punished. Sometimes he runs away. So it is with the Indians. The chiefs do not want bad Indians to do wrong; neither does the Great Father want bad whites to do wrong to you. Now, we all understand about the treaty, and we will put it away and say nothing more about it.

After you have been thinking about it you may decide that Judith Basin is a good place to keep always. If you do you can then come here and hunt, just as you do there now. The difference is, now you own this, and hunt and stay over there; but if you sell this, you would own over there and could come and hunt here. I have talked a long time, but it is your fault, not mine. You asked me to tell you what was in the treaty. When I told you some of it, you wanted me to stop. That is not right. If you want to know what is in a man, you want to know all about him; so it is with this paper, and when you have heard it all it is not so bad for the Crows.

BLACKFOOT. We wanted to know just what was in that treaty, and my friend has told us. I have said before that we are friends, and that we like each other, yet we have different thoughts in our hearts. The first time I went to Fort Laramie and met the peace commissioners, what each said to the other, we said "Yes, yes." The second time we went we signed the treaty; but neither of us, my white friends nor the Indian chiefs, said "Yes, yes," to what is in that treaty. What we said to them, and what they said to us, was "Good." We said "Yes, yes," to it; but it is not in the treaty. Shane was there the first time, and what he interpreted to us are not the words that are in the treaty. The first time we went we did not sign the treaty; we only said "Yes, yes," to each other. The Indian way of making a treaty is to light a pipe, and the Indians and their white friends smoke it. When we were in council at Laramie we asked whether we might eat the buffalo for a long time. They said yes. That is not in the treaty. We told them we wanted a big country. They said we should have it; and that is not in the treaty. They promised us plenty of goods, and food for forty years—plenty for all the Crows to eat; but that is not in the treaty. Listen to what I say. We asked, "Shall we and our children get food for forty years?" They said "Yes;" but it is not that way in the treaty. They told us when we got a good man for agent he should stay with us; but it is not so in the treaty. We asked that the white man's road along Powder River be abandoned, and that the grass be permitted to grow in it. They said "Yes, yes;" but it is not in the treaty. The land that we used to own we do not think of taking pay for. We used to own the land in the Mud River Valley. These old Crows you see here were born there. We owned Horse Creek, the Stinking Water, and Heart's Mountains. Many of these Indians were born there. So we owned the country about Powder River and Tongue River, and many of our young men were born there. So we owned the mouth of Muscleshell, and Crazy Mountain, and Judith Basin; many of our children were born there. So we told the commissioners. They said "Yes, yes;" but there is nothing about it in the treaty. We told them there were many bad Indians, but that we would hold on to the hands of the white man, and would love each other. We told them the

Piegans, the Sioux, and other tribes, have killed white men. We told them the whites were afraid of them. I asked them to look at us; that we had no arms, and they should not be afraid of the Crows. They said "Yes, yes;" but it is not so written in the treaty. The treaty, you say, has bought all our land except on this side of the river; and what do we get for it? I am ashamed about it. We sell our land, and what do we get for it? We get a pair of stockings, and when we put them on they go to pieces. They get some old shirts, and have them washed, and give them to us; we put them on, and our elbows go right through them. They send us tin kettles; we go to get water to carry to our lodges; we dip the water up, but it all runs out again. That is what we get for our land. Why do they send us annuity goods? We go to the buffalo country and get skins; our wives dress them, and we give them to our friends. We give more presents to our white friends than all the annuity goods we get are worth. And this is what we get for our lands. What goods are given us are no better than we give the whites, and I do not see what we are getting for our lands. We told the commission at Laramie that the Sioux were in our country on Tongue River. The Sioux and the Crows are at war yet I went into the Sioux camp alone. They offered to give us two hundred and sixty horses and mules, all taken from white men, if we would join them, but we refused to do so. They took me by the arm and asked me to stay with them and fight the whites, but I pulled loose from them and would not do so. I told the commission that I was asked to hold the whites with my left hand and the Sioux with my right hand; but now I gave my right hand to the whites and would hold on to them; they said "Yes, yes." But none of this is in the treaty. We told them we had plenty of fish and game, and when they got scarce we would tell them, and ask help from them.

They said "Will you sell the Powder River country, Judith Basin, and Wind River country?" I told them no; but that is not in the treaty. When Major Camp came here as agent we gave him a present of a large number of robes to send to the Great Father. We never heard that the Great Father got those robes; we would like to hear about them. The Crow tribe want Major Pease to remain with us as our agent. Some of the young men want him to take them to see the Great Father at Washington. You ask us to tell you what we want. We want Mexican blankets, elk-teeth, beads, eagle-feathers and panther and otter-skins. We like fine horses and needle guns; these things are to us what money is to you.

Mr. BRUNOT. I told you last night I could not stay much longer. I would like to stay a month, and then I might want to stay longer. I would like to stay and talk to you, and hear you talk. Our hearts are close together. You know what I have said is true. Sometimes we know a thing is good, yet we want to keep it away from us; it troubles us. A man has a horse which he likes; somebody offers him something for it that is better; at first he does not want to part with the horse; he thinks of it, and finds he gets something better for it; then he will let it go. Just so about this land. The place on which we were born and raised we think is all the good place there is. Those that were born on Wind River thought that no other place was as good; those who were born down on the Yellowstone thought no place was as good as that. The same men have been here a while; now they think this is better. You have this reservation; you think it a good place to live on; and you go to Judith Basin to hunt. You are right; this is a good place, and you do not like to think about making a change. It belongs to you, and you can do as you please about it. If you listen and do as I

want, I think it is good. If you do not think it is good, I will still say you can do as you please about it. It is like a man who does not want to let his horse go till he thinks about it; when he thinks about it and finds it is better to do so, he lets it go. The man thinks about it till he gets his mind made up. It ought to be the same way about this business. You should think about it and talk about it. Do not put it away out of your mind until you are sure you are going to do right. Do not put it off till you find the commission is gone and all our words are lost. When we come together again you can come and tell us what you think about this business. If you put it off till some other time it may be too late. The treaty says the white men, the Crows, and other Indians can go to Judith Basin. If the Crows wanted to live in Gallatin Valley they could not do it. The white men are there; so, if the white men are in Judith Basin, the Great Father cannot let the Crows live there; it will be too late after the white men are there. The whites are not there now; and before it is too late I would like the Crows to think about it and decide. But do not forget you can do just as you like best. You are men, and can make up your own minds; and what I tell you is because I am your friend, and want you to have good houses and plenty to live on. If a man was to tell me to come and get some of the Crow land for myself, I would want to strike him to the ground. I do not want anything you have, nor do I come to get things for other men. I come because the Great Spirit tells me it is right to do good to the red men. What I say is from the heart, and the time will come when you will remember my words. I will say nothing more now. I want you to come and talk about the matter, and I will take your words to the Great Father. After that I will tell you something in regard to what Blackfoot said about going to Washington. I want to tell you about that after the other things are settled.

BEAR-WOLF. What we say and agree to, we say "Yes, yes," to, on both sides. Blackfoot went to Fort Laramie. They talked with each other; they said "Yes, yes." But when he came back we did not agree to what had been done. We want to go to Washington and see the Great Father. The chiefs are here, and we want to hold on to our lands. You bring a treaty; it is full of lies. The words that have gone to the Great Father have always been lies. Indians that fight the whites, the whites always do what they want. If you take us to Washington we will shake hands with our friends. The Great Father will talk good to us. I want no bad luck on the way. The old men are here; you see them; so are the young men. It is us who own the land, and we will have our say about it. We want you to give us the means to go to Washington. The council here adjourned.

FOURTH DAY.

AUGUST 14, 1873.

Owing to the protracted rain no general council was held to-day. The chiefs, however, were gathered in council, continuing all the afternoon.

FIFTH DAY.

AUGUST 15, 1873.

Council convened at twelve o'clock. Blackfoot made a long speech to his people, being frequently interrupted by the other Indians.

Council opened with prayer by General Whittlesey; after which three

hours were given the Indians in which to discuss among themselves the propositions in the articles of agreement.

Council reassembled at three o'clock.

MR. BRUNOT. When we ceased talking in the council it was raining, and we said we had talked a good while and now it was time to think some and make up our minds. That was what I told you, and the chiefs said it was good to think about it. I told you to make up your minds, and whatever you said so it should be. If you decided not to sell this place, then we know the Crows do not want to sell it; but I told you what I thought was good for you to do. I asked you to think and see if you could not do that. The next day it rained so much that we did not come together again. I think the rains came so that you would have a longer time to think and decide what you would do. The rain comes on the ground; then the sun comes and makes the ground warm, and makes the grain grow for food for your ponies and the buffalo. So to-day the sun is bright and beautiful; and I hope that the Crows' hearts are good, and that they will decide to do what is good for themselves. Whatever you do, I hope it is for a long time and for your good. We talked three days, and now this is the last day to talk and whatever is done must all be done this evening, so that we may go in the morning. What I said was put in a paper; and if you have decided to go to Judith Basin, we will put our names to the paper, and you will put your names to it, and we will take it to the Great Father at Washington. But if you have decided the other way, we will tear up the paper, shake hands, and be friends all the same. Now we want to know what you have made up your minds to do.

BLACKFOOT. We have been meeting white men before. Whenever we met them we had something to say to them. We met you, and you told us what was written down you would take to the Great Father. We have talked three days, and my tongue is not tired.

MR. BRUNOT then explained the provisions of the articles of agreement in a general way, and said: If you wish, the paper will be read; then you can put your names to it or not, as you wish.

BLACKFOOT. On this side of the river and on the other side is our country. If you do not know anything about it I will tell you about it, for I was raised here. You mark all our country, the streams and mountains, and I would like to tell you about it; and what I say I want you to take to your heart. You make us think a great deal to-day. I am a man, and am talking to you. All the Indian tribes have not strong arms and brave hearts like we have; they are not so brave. We love you and shake hands with you, (taking Mr. Brunot's hand.) We have gone to Judith Basin a great deal, and you wish us to take it for a reservation. All kinds of men go there; trappers and hunters go there poisoning game. The Sioux Indians, Crees, Santees, Mandans, Assineboines, Gros Ventres, Piegans, Pen d'Oreilles, Flatheads, the Mountain Crows, the River Crows, Baumoeks, Snakes and Nez Percé Indians and white people, all go there. You wish us to take the Judith Basin for a reservation. All these Indians will come and we will likely quarrel; that is what we think about it. Judith basin is a small basin; a great many people go there; we all go there to eat buffalo. I have told you about the Sioux when they come to fight us. We go a long way from our camp. All Indians are not as strong as we are; they give up and run off. If you have two dogs; if they go to fight, and you catch them and pull apart, when you let them go they fight again. So it is with the Sioux and Crows. You tell me the railroad is coming up the Yellowstone. If you move this place away from here, the Sioux will be like a whirlwind; they will come and fight the whites, that

is true as I tell you. Along Prior mountain is the Crow trail. We listen to you, and what I tell you is true. The young men do not care what they do. We want some of them to go to Washington with Major Pease, and what they say there will be all right. I will tell you what we will do; neither of us will live forever; in time both of us will die. We will sell the part of our reservation containing the mountains from Clark's Fork, below the mountains, and the valleys we will not sell. The Crow young men will go to Washington and fix it up, and come back and tell us about it. We will sell the range of mountains to Heart's mountain and Clarks Fork. The young men will sell it at Washington, and they will say to the Great Father at Washington, that the Crows have a strong heart and are willing to sell their land. When you buy this and give us plenty for it, we will talk about the rest, if you want to buy it. Those mountains are full of mines. The whites think we don't know about the mines, but we do. We will sell you a big country, all the mountains. Now tell us what you are going to give for our mountains. We want plenty for them. Am I talking right? The young men think I am talking right. Every one here is trying to get plenty. The railroad is coming. It is not here yet. You talk about Judith Basin. I have heard about it. I want to see what you will give for the mountains; then we will talk about the rest of our land. You think you have peace with the Sioux; I do not think you have. You want to shake hands with them. We want to know whether you are going to fight the Sioux or not; we want to know. We will see what the young men will do at Washington; if they hear what is good, we will do it. The railroad will not be here for some time and before that we will be part of the time on this side and part of the time on the other side of the river. In the Gallatin Valley, if you sell a house and a little piece of ground, you get paid for it, I know that is the white man's way of doing. The white men are all around us. On the other side of the river all those streams belong to the Crows. When the Sioux come there, we can run them off into the river. We are friends; when our friends get horses stolen, we give them some. Many of our horses are stolen here; four of my horses are gone now, last night some horses were stolen. The Sioux took them along the mountains. On the other side of the gap, there are plenty of houses full of everything. In Gallatin Valley are plenty of cartridges, the Crows have none. If the Sioux come I do not know what we shall fight them with. See all these old women! They have no clothing; the young men have no good blankets. We would like the Nez Percés, when they raise camp, to come here; they die with the Crows; they help to fight the Sioux. The last commission told us we could eat buffalo a long time. While we are here, the Flathead Indians take our horses. I would like you to take our part and stop them.

MR. BRUNOT. We talked about the horses this morning with Major Pease; he is going to send and get them, and the troops will take the horses if they find where they are, and they will bring them back.

BLACKFOOT. We did not know you had talked about it. We would like you to say "yes" to what we said. At Laramie we said, yes! but not to what is in the treaty.

MR. BRUNOT. Tell Blackfoot every man is not like every other man. I was listening and I heard all he said, and it went into my heart. If a man hears something that makes him sorry, he looks sorry; if he thinks he is going to hear what is good, and he does not hear it, he looks sorry. I heard all he said, and when he got through, it was time for me to say something. Somebody took some horses. I heard it and talked with Major Pease, and he is going to send for them; he is going

to send to Fort Shaw, and if they find the horses, they will ask the soldiers to get them back. You have an agent to look after such things, and he does the best he can. So, Major Pease is going to try and get them back. They have one of our horses too, I guess you did not know that. (This seemed to amuse them very much.) Now we will talk about the treaty; it is far more important than a few horses. The paper that we have made about Judith's Basin, I think we had better read; then you will know what I think is good for you. Then I will tell you what I think of your proposition. The miners were at Emigrant Gulch long ago; some are on Clark's Fork. The Great Father knows that; he could send the soldiers and make them go away, but suppose he should do that, what would happen? Some of these men would get mad at the Crows about it, and would do something wrong; and perhaps they would get others to help them, and perhaps the Crows would go after them and somebody might get killed; perhaps a white man, perhaps an Indian. If somebody got hurt, his friends would want revenge; soon we would be quarreling. I do not want it to be so, nor does the Great Father want it. The Great Father says he does not want the Indians' land taken, nor does he want trouble; so he sends us to see whether you will take money for what the white men are doing; and find a place for the Crows where there is no gold for people to run after. If Blackfoot has a good American horse, and I have a horse that is not so good, I come and say we will trade, and he will say I do not want to trade; he thinks about it and says, "my horse is better and you must give me something more;" If I say, "I will give you something more," then we make the trade. So with this country; I say to you, you have a big country, and some of these people are on it; you like the country; I show you another country; you go to it; you like it; I say if you like that country, go there, and let the white people have this country, and we will give you so much. You get all the annuity goods and all that is in the other treaty, but you get them at Judith Basin instead of here. You live in this country now and hunt over there; if you listen to me, you will live over there and come here and hunt as much as you please. Then, every year as long as you and your children live, you have money from the Great Father to buy what you want. Every year the Great Father asks the agent what do the Crows want this year? The agent asks the Crows and the Great Father sends the things, that is the way it is in the paper. That is how it will be, if we all say, "yes," and put our names to the paper. The reason why I do not think Blackfoot's proposition is good, is this, if the Crows keep the valley and sell the mountain, the whites will want all the time to go through your country; your horses will not be safe. If you want wood, it is nearly all in the mountain. You sell even the water courses with them; it would not be good to sell that and keep this, do you not see that? The white men in the mountains would be glad if I agreed to what you propose. If I cared only for them, I might agree to it, but I care for the Indians and cannot agree to it. I do not think that would be good for any of us, for trouble might come. If you cut off all above Clark's Fork, I would carry the proposition to the Great Father, and he would give money for it, but I do not think that would be so good as to sell this place and take the other; you would not get as much for it, Blackfoot asked me about the Sioux, some of them live on the Platte and on the Missouri; they are holding the white man's hand, and they do not come up to fight the Crows, but there are some who are not holding the white man's hand. But the Great Father has sent his troops, and two boats have come to the mouth of Powder River and the soldiers

are building a war-house there. They are there now, you will soon hear of their being there. In regard to going to Washington, I have something to tell you about it, but it is best not to talk of that until we have settled about the land. I think some of you ought to go to see the Great Father, and I want some of you to go, and I want you to come and see me at the same time. You will see the other gentlemen who are here, and you will have a nice time and be much pleased. You can tell the Great Father what we say "yes" to, with your own mouths. I want Major Pease to go with you. All I am afraid of is when you come back, all the Crows will want to go. Now I want you take a vote and see whether you will agree to what we offer. The sun is going down and what we do, must be done soon. If you agree to what we offer, I will go away glad, for I think it is good. I have seen you a week, and I like you, and I want nothing but good for you, and I will always think of you, and will think for your good. I will do all I can for you, and whatever is right for the Great Father to send you, I will ask him to send; these gentlemen think the same. The Crows want some horses; we will ask the Great Father to send you some, but we will not put it in the paper, for the paper is for all time. The horses would be soon gone, but what is in the paper for you to get lasts always, you get them every year. I will read what is in the paper.

The articles of convention were then read as follows:

Articles of Convention made and concluded on the 16th day of August, in the year of our Lord one thousand eight hundred and seventy-three, at the Crow agency, in the Territory of Montana, by and between Felix R. Brunot, E. Whittlesey, James Wright, commissioners in behalf of the United States, and the chiefs, head-men, and men representing the tribe of Crow Indians, and constituting a majority of the adult male Indians belonging to said tribe.

Whereas a treaty was made and concluded at Fort Laramie, Dakota Territory, on the seventh day of May, in the year of our Lord one thousand eight hundred and sixty-eight, by and between commissioners on the part of the United States, and the chiefs and head-men of and representing the Crow Indians, they being duly authorized to act in the premises.

And whereas by an act of Congress approved March 3, 1873, it is provided: "That the Secretary of the Interior be, and he is hereby authorized to negotiate with the chiefs and head-men of the Crow tribe of Indians, in the Territory of Montana, for the surrender of their reservation in said Territory, or of such part thereof as may be consistent with the welfare of said Indians: *Provided*, that any such negotiations shall leave the remainder of said reservation in compact form, and in good locality for farming purposes, having within it a sufficiency of good land for farming and a sufficiency for water and timber, and if there is upon said reservation a locality where fishing could be valuable to the Indians, to include the same if practicable, and the Secretary shall report his action, in pursuance of this act of Congress at the next session thereof, for its confirmation or rejection."

And whereas in pursuance of said act of Congress commissioners were appointed by the Secretary of the Interior to conduct the negotiations therein contemplated, the said commissioners on the part of the United States, and the chiefs, head-men, and men constituting a majority of the adult males of the Crow tribe of Indians, in behalf of their tribe do solemnly make and enter into the following agreement,

subject to the confirmation or rejection of the Congress of the United States, at the next session thereof.

ARTICLE 1. The United States agree that the following district of country, to wit: commencing at a point on the Missouri River opposite to the mouth of Shankin Creek, thence up said Creek to its head, and thence along the summit of the divide between the waters of Arrow and Judith Rivers, and the waters entering the Missouri River, to a point opposite to the divide between the head-waters of the Judith River and the waters of the Muscle-Shell River; thence along said divide to the Snowy Mountains, and along the summit of the said Snowy Mountains in a northeasterly direction, to a point nearest to the divide between the waters which run easterly to the Muscle-Shell River and the waters running to the Judith River; thence northwardly along said divide to the divide between the head-waters of Armell's Creek and the head-waters of Dog River, and along said divide to the Missouri River; thence up the middle of said River to the place of beginning. The said boundaries being intended to include all the country drained by the Judith River, Arrow River, and Dog River, shall be and the same is set apart for the absolute and undisturbed use and occupation of the Indians herein named, and for such other friendly tribes or individual Indians as from time to time they may be willing, with the consent of the United States, to admit amongst them; and the United States now solemnly agree that no persons except those herein designated and authorized so to do, and except such officers, agents, and employés of the Government as may be authorized to enter upon Indian reservations in discharge of duties enjoined by law, shall ever be permitted to pass over, settle upon, or reside in the Territory described in this article for the use of said Indians; and the United States agree to erect the agency and other buildings, and execute all the stipulations of the Treaty of Fort Laramie (the said stipulations being hereby reaffirmed) within the limits herein described, in lieu of upon the south side of the Yellowstone River.

ART. 2. The United States agree to set apart the sum of one million of dollars, and to hold the same in trust for the sole use and benefit of the Crow tribe of Indians, the principal to be held in perpetuity, and the interest thereof to be expended or reinvested, at the discretion of the President of the United States, annually for the benefit of said tribe.

ART. 3. It is mutually agreed between the United States and the Crow Indians, that the second article of the treaty made at Fort Laramie between the commissioners of the United States and the Crow tribe of Indians, be, and the same is abrogated by this agreement, and the said Indians hereby cede to the United States all their right, and title, and claim, to the tract of country described in the said second Article, to wit: "Commencing where the 107th degree of longitude west of Greenwich crosses the south boundary of Montana Territory; thence north along said 107th meridian to the mid-channel of the Yellowstone River; thence up said mid-channel of the Yellowstone to the point where it crosses the said southern boundary of Montana, being the 45th degree of north latitude, and thence east along said parallel of latitude to the place of beginning," and which is conveyed to them therein, except the right to hunt upon said lands so long as they may remain unoccupied, and as game may be found thereon, and peace continues between the whites and Indians.

ART. 4. The United States agree to suppress so far as possible, by the imposition of pains and penalties, the practice of wolfing, or killing game by means of poison, within the limits of the following district of

country, viz, beginning at the mouth of the Muscle-Shell River, thence up the said river to the North Fork, and up the North Fork to its source; thence northward along the summit of the Little Belt and Highwood Mountains to the head of Deep Creek; thence down said Creek to the Missouri River, and along the margin of said river to the place of beginning.

It is expressly understood between the commissioners and the Indians, parties thereto, that this agreement is subject to the ratification or rejection of the Congress of the United States at its next session, and that pending the action of Congress the United States shall prevent all further encroachments upon the present reservation of the Crow tribe.

The articles were carefully explained until they were fully understood by the Indians.

THIN BELLY. I say let them have the land.

LONG HORSE. We will give you this land for what you say. This side of the river belongs to us; we will sell it. These are our chiefs. We have waited for Iron Bull and Blackfoot to say they will sell the land; they don't say so, but the young men now say to sell it. I am going to come here to hunt. Do not let wolfers come here. These young men are chiefs and want to go to Washington to see the Great Father; let them go.

IRON BULL. Take the names of those who will sell; they will not touch the pen to sign the paper; they think it is bad luck; they will come up and say "yes," "yes."

BLACKFOOT. We smoke together; we talk through the pipe. As I told you, we are friends. The young men say they will sell and we agree to it. We want all on the other side of the river away up to Judith Basin. It is a small country.

MR. BRUNOT. The Great Father sent me; and I do what he says if I think it is good for those I am talking to. What I thought was good I put in the paper.

BLACKFOOT. You ought not to give the Sioux guns and ammunition; you should wipe them all out; you should throw a bad disease on them.

MR. BRUNOT. The Great Father did not tell me to talk about the Sioux. I have told you what is in this paper. Now we want all who agree to this to come and say "yes," so that after it is all over, nobody can say it is the fault of somebody else. I will put my name to it and I will never be afraid to say that I think this is good for the Crows. If you don't want to agree to this paper, you will say so, and there will be none of it. I want all of you to say "yes," and then we will know it is all right. We will call the names and if you don't want to say "yes," don't say it. If more say "yes" than say "no," it is good.

MANY INDIANS. It is too small a country in the Judith Basin. We want from the Yellowstone to the Missouri.

OLD CROW. If we take Judith Basin we can shoot from one line of our country to the other line.

IRON BULL. We want to move over there, but we want all the other side of the river; that is what we want, and we tell you so.

MR. BRUNOT. I don't say "yes." I want to talk to the young men. You say you want all the country the other side of the river; that is a bigger country than this. If I would give it, I would have to say, "What will you give for the difference?" Some people will talk that way. Most of the country over the river white people cannot live on, and never will live on. Why did I not put that in with the Judith Basin? That would make your land as big as this. If I went to the Great Father and said,

"I gave the Crows all the other side of the river for this," he would say, "Why did you do that?" If I said "I promised to give the Crows, every year, food and clothing besides," he would say, "That will not do." It is no use to tell him that. But if I say, "I gave the Crows a smaller piece of land and they give you a bigger piece of land, you must give them goods every year," he will say, "That is all right." If I put in the bad land, that will make it as big as this reservation, and it would do you no good except to hunt on, and you can hunt there any how.

BLACKFOOT. The Crow country is a big country, and we will give it for the country on the other side of the river. What I tell you is good for both sides; and we want, besides, what you told us you would give us. This is our country, and what we give is worth more than all the other side of the river. You want to give us a little hole; we want a big country; you give the Sioux a big country, and the Crows are a big tribe and want a big country. While Blackfoot was speaking a woman came forward to speak.

THE ONE WHO GOES RIGHT STRAIGHT ALONG. I am a woman and ought not to speak in council, but I want to speak of the first council on Horse Creek. My brother went to the States and never came back. You want to give us a little territory, and we don't want it. The whites killed my brother, for he never came back, and you never paid me anything for him. Another time we were on the Little Horn; we lived in a big grass lodge, and a white man poisoned my other brother, and he died. You bought our land before, and gave us kettles that would not hold water. We want all the other side of the river from the mouth of the Yellowstone. I want my son to have a big country; you offered us a little country and I don't want it.

OLD CROW. Tongue River, Rosebud, Powder River, and Big Horn are full of wood. In Judith Basin is no wood for a camp.

MR. BRUNOT. I am afraid some one has been talking to you who is not a Crow, and you have his ideas. If I were a Nez Percé, I might say to you do not take Judith Basin; if I were a Blackfoot, I would say do not take it; if I were an Assineboine, Piegan, or Bannack, I would say to you do not take Judith Basin; if I were a Wolfer, I would say do not take Judith Basin; and what is the reason? All these people can now go in there; if it belonged to the Crows, they could not. Maybe some of this kind of people have been talking to you; if any of these people advise you not to take it, you can see the reason. I told you the second day why I wanted you to have Judith Basin. Now, I tell you according to the treaty, the white men, the Wolfers, and other Indian tribes can go there the same as the Crows. These men are going in there, more and more of them, every day. If you put off, for a year or two, getting it, so many whites will be there, that you cannot get it. That was one reason I was desirous you should have it now. It is not a big country; I know that is a small country. The time was when all the country from the Missouri River to the mountains had no white people; now there are a great many. Blackfoot spoke about the Sioux: there were a great many Sioux; they roamed on the plains, on the Platte, and the Republican, as they pleased. They went and fought the Utes, they went as far as they pleased. The Kiowas and Comanches were all over that country once. The whites said they were going to make a railroad, and all these Indians said as a few Sioux do now, they would not have it. If you go down there now you will see not one railroad only, but many railroads, and when your young men go to Washington, they will go ten times as fast as a horse can go. That railroad was

made; the Sioux could not stop it; what could they do? They could go to the white man's cabin, where he slept, and kill him, but they do not go there to do it now, and the reason was they did not take the white man's hand then; the Great Father sent them away to the barren lands on the Arkansas, and the Sioux will be pushed I do not know where. The Great Father does not want to serve his friends so. The Great Spirit tells us we are of one blood, and must do what is good for the red men who hold our hand, as we would for our children, and that is the way I feel to the Crows. And that is why I come here. Now I have come and said what I think is right. I have given the Great Father's message. The Great Father wants to save trouble. He is willing to pay you for the mountains the white people have been going into. I told you there was a good place where you can stay forever, and it is a good place for you to go to. I have told you how the buffalo have left other countries and how they will go from this. When the buffalo is gone, if you stay here till then, you can only live on a piece of this country. You can only hunt on the other side as long as there are any buffalo. Your ponies can range on the Yellowstone, and they can range up to the Judith, but you cannot cover it all over with your villages; because your lodges don't cover it all over is no reason why you cannot hunt on it. This place is your home; it does not keep you from hunting where you please. If you take Judith Basin for your home, it is the same thing, only that is your home. You know that is a better place than this to stay both summer and winter; you stay there now longer than anywhere else. If your agency was there it would be better and you could come to this country to hunt. You say you want all the other side of the river for your reservation; that is not what the Great Father tells me to say. I cannot give you that, because the Great Father will say the paper is not good. I thought you had made up your minds to say yes to what we offered but you say you want something else. I have said all I have to say about that proposition. We offer land, and we offer money every year for food and for the goods you need. I am going away, and that is the end of it now. But I will always think about the Crows as friends, and I hope whatever you do will be good for you. I do not know that I will ever see you again. You will remember my words, and some day you will know what I said was good for you, and all I said was true. I want some of the chiefs to go and see the Great Father. Suppose I was to die as I go to the Great Father; nobody would think the Crows killed me. Because there was a Crow man went a long way and died on his way home, that is not because the white men did bad; it was because they gave him so many good things to eat; but these young men must not eat so much. Now we will shake hands and stop the council, and it is all over, but we are better friends than when we first saw each other. But if the chiefs want to come yet and agree to the paper, they can come.

BEAR-WOLF. We want you to hold on a while. I want to go with Pease and see the Great Father and talk with him. We want to go and see how it is. You claim all on the other side of the river and give us a small piece of land. We want to go and see about it; we want Bravo and Shirley and Major Pease to go with us. We offer to give you a big country and a rich country; we love our Great Father, that is why we offer to give it to him. You want to give us a little country where there are no mines.

The council here adjourned. After the council, Iron Bull, Long Horse, and Shot-in-the Jaw, expressed themselves as favorable to

making the exchange, Thin Belly having expressed the same desire in the council. Iron Bull, Long Horse, and Thin Belly are three of the principal chiefs, Blackfoot being the only principal chief not expressing a willingness to agree to it.

Sixth Day.

AUGUST 16, 1873.

In the morning all the chiefs and young head men came and expressed a desire to sign the agreement.

Mr. BRUNOT, after ascertaining that they fully understood it, said: You wish to tell me that you agree to the exchange for Judith Basin, as it is in the paper.

ALL THE CHIEFS. Yes; we all agree to it.

Mr. BRUNOT. I want you all to come, one at a time, and say "yes." Bring all the others and they will say "yes," and then none can say we did not do it.

IRON BULL. If all the chiefs say "yes," that is enough.

Mr. BRUNOT. It is better the others should say so too.

They then came forward, one at a time, and said "yes." In signing, all expressed the wish that they might be permitted to eat buffalo as long as there was any; others asked that they should have horses; others asked for guns, and many asked that Agent Pease should be retained. To all of these the explanation was fully given that the paper did not promise any of these things, but they were told that when they went to see the Great Father they could talk to him about giving them what they wanted.

All who were present, being all the chiefs and head men (except one) came forward, and, fully understanding the articles of convention, assented to them, each saying "yes."

At twelve o'clock we left the agency for Bozeman.

Respectfully submitted,

THOMAS K. CREE, *Secretary.*

To the SPECIAL CROW COMMISSION.

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